

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
AUGUST 7, 2012 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Final Plat of Subdivision - 415 Otis Avenue	<ul style="list-style-type: none"> ✓ Resolution Ordinance Motion Discussion Only 	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

A resolution for a Final Plat of Subdivision has been prepared to consolidate two existing lots into one for the property located at 415 Otis Avenue

STRATEGIC PLAN ALIGNMENT

The goals for 2011-2018 identified *Exceptional Municipal Services*.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval on the August 7, 2012 consent agenda.

BACKGROUND

The 7,920 square foot property, commonly known as 415 Otis Avenue is zoned R-4 Single Family Residential and consists of two 30-foot wide by 132-foot deep lots. A single family residence and detached garage, owned by the petitioner, are located on the lots. The petitioner is proposing to consolidate the two lots into a single 60-foot wide by 132-foot deep lot to allow the petitioner to demolish the existing structures and construct a new single family house on the property.

All required infrastructure, including sidewalks, 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 requirements for public utility easements. The proposed lot will meet all minimum lot dimension requirements for the R-4 Single Family Residence district contained in Sections 28.1103(d) and 28.1104(d) of the Zoning Ordinance. The petitioner is not requesting any exceptions from Sections 20.101 and 20.301 of the Subdivision Control Ordinance. The dimensions for the new lot are outlined in the table below:

415 Otis Avenue	Lot Width		Lot Depth		Lot Area	
	Required	Proposed	Required	Proposed	Required	Proposed
Lot 1	50 feet	60 feet (no change)	140 feet	132 feet (No change)	7,500 sq. ft.	7,920 sq. ft. (no change)

The proposed consolidation is consistent with the Comprehensive Plan. The Comprehensive Plan recommends residential areas provide a variety of housing and dwelling unit types and densities, generally organized by dwelling types and lot sizes. The proposed single family lot is consistent in width and area with other single family lots along this block of Otis Avenue.

The Plan Commission considered the petition at their July 2, 2012 meeting. No public comments were received at the hearing. The Commission found that the request met the standards of the Subdivision and Zoning Ordinances. Based on their findings, the Plan Commission unanimously recommended approval of the Final Plat of Subdivision. Staff concurs with the Plan Commission recommendation.

ATTACHMENTS

Aerial Map

Resolution

Staff Report with attachments dated July 2, 2012

Minutes of the Plan Commission Hearing dated July 2, 2012

RESOLUTION _____

**A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION
FOR 415 OTIS 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 to consolidate two parcels into one lot for Pollock Subdivision, located on the south side of Otis Avenue approximately 175 feet west of Fairview Avenue, commonly known as 415 Otis Avenue, Downers Grove, Illinois, legally described as follows:

Lots 7 and 8 in Block 10 in Streets addition to Downers Grove, a subdivision of 70 acres in the east 92 rods in the southeast quarter of the Section 5, Township 38 North, Range 11, East of the Third Principal Meridian, in DuPage County, Illinois.

Commonly known as: 415 Otis Avenue, Downers Grove, IL 60515 (PIN 09-05-420-009)

WHEREAS, notice has been given and a public hearing held on July 2, 2012 regarding this plat application pursuant to the requirements of the Downers Grove Municipal Code; and,

WHEREAS, the Plan Commission has recommended approval of the Final Plat of Subdivision of Pollock Subdivision, located at 415 Otis Avenue, Downers Grove, Illinois, as requested, subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove that the Final Plat of Subdivision of Pollock Subdivision, located at 415 Otis Avenue, Downers Grove, Illinois, be and is hereby approved subject to the following condition:

1. The final plat shall substantially conform to the Final Plat of Subdivision of Pollock Subdivision prepared by Harrington Land Surveying, Inc. dated June 18, 2012, except as such plat 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.

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

Mayor

Passed:

Attest: _____
Village Clerk



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
JULY 2, 2012 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
PC-23-12 415 Otis Avenue	Final Plat of Subdivision	Stan Popovich, AICP Planner

REQUEST

The petitioner is requesting approval of a final plat of subdivision to consolidate two existing parcels into one lot.

NOTICE

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

GENERAL INFORMATION

OWNER/APPLICANT: Keith Neumann
Greenscape Homes, LLC
4355 Weaver Parkway
Warrenville, IL 60555

PROPERTY INFORMATION

EXISTING ZONING: R-4 Single Family Residential District
EXISTING LAND USE: Residential
PROPERTY SIZE: 7,920 square feet (0.18 acres)
PIN: 09-05-420-009

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	R-4 Single Family Residence District	Single Family Residential
SOUTH:	R-4 Single Family Residence District	Single Family Residential
EAST:	R-4 Single Family Residence District	Single Family Residential
WEST:	R-4 Single Family Residence District	Single Family Residential

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. Plat of Subdivision

PROJECT DESCRIPTION

The petitioner is requesting approval of a final plat of subdivision to consolidate two existing parcels into one lot. The property, commonly known as 415 Otis Avenue, is zoned R-4 Single Family Residential. The property is made up of two 30-foot wide by 132-foot deep lots totaling 7,920 square feet in size.

The property is improved with a single family home and detached garage. The petitioner is proposing to demolish the existing home and detached garage and construct a new single family house. Without the consolidation, the petitioner would not be permitted to construct a new single family house.

COMPLIANCE WITH COMPREHENSIVE PLAN

The Residential Area Plan section of the Comprehensive Plan identifies the property being within the single family traditional grid residential area. The traditional grid provides a uniform layout with standard street and lot widths. The subject single family property is similar in lot size and width to adjacent residential lots. The Comprehensive Plan recommends residential areas provide a variety of housing and dwelling unit types and densities, generally organized by dwelling types and lot sizes as identified in the Land Use Plan. Staff believes the proposed consolidation of two parcels into one lot is consistent with the Comprehensive Plan.

COMPLIANCE WITH ZONING ORDINANCE

The property is zoned R-4 Single Family Residence District. The proposed single family residential use is a permitted use in the district. The proposed lot complies with Sections 28.1103(d) and 28.1104(d) of the Zoning Ordinance. If the subdivision is approved, the petitioner will be able to construct the new single family residence. The new home will be required to meet all Zoning Ordinance bulk and setback requirements.

COMPLIANCE WITH THE SUBDIVISION ORDINANCE

The proposed lot will meet all minimum lot dimension requirements for residential lots in the R-4 district. The lot dimensions are specified in the table below:

415 Otis Avenue	Lot Width		Lot Depth		Lot Area	
	Required	Proposed	Required	Proposed	Required	Proposed
Lot 1	50 feet	60 feet (no change)	140 feet	132 feet (No change)	7,500 sq. ft.	7,920 sq. ft. (no change)

The petitioner is not requesting any exceptions from Sections 20.101 and 20.301(b) of the Subdivision Ordinance. The proposed lot will include new five-foot wide utility easements along the side (east and west) property lines and a new ten-foot wide utility easement along the rear (south) property line which will satisfy the requirements for public utility easements.

NEIGHBORHOOD COMMENT

Notice was provided to all property owners 250 feet or less from the property in addition to posting the public hearing notice sign and publishing the legal notice in the *Downers Grove Reporter*. Staff spoke with two residents who expressed no concerns regarding this petition.

FINDINGS OF FACT

Staff believes the proposed Final Plat of Subdivision to consolidate the two existing parcels into a single lot meets the standards of Sections 28.1103(d) and 28.1104(d) of the Zoning Ordinance and Sections 20.101 and 20.301(b) of the Subdivision Ordinance. Staff believes the request is consistent with the Comprehensive Plan and Zoning and Subdivision Ordinances of the Village.

RECOMMENDATIONS

The proposed final plat of subdivision is compatible with the surrounding zoning and land use classifications. Based on the findings listed above, staff recommends the Plan Commission make a positive recommendation to the Village Council regarding PC-23-12 subject to the condition below:

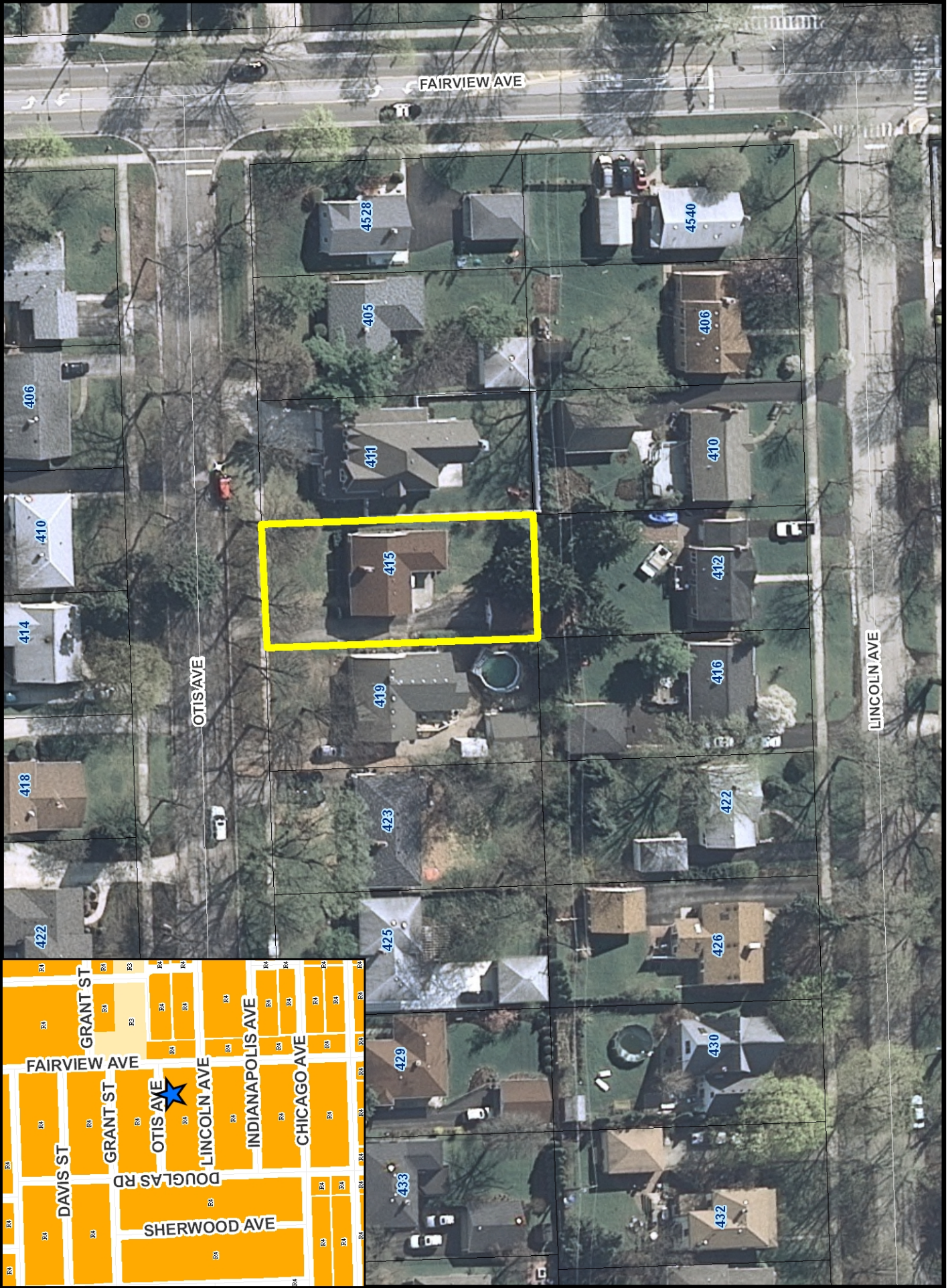
1. The final plat shall substantially conform to the Final Plat of Subdivision of Pollock Subdivision prepared by Harrington Land Surveying, Inc. and attached to the staff report, except as such plat may be modified to conform to the Village Codes and Ordinances.

Staff Report Approved By:

Tom Dabareiner, AICP
Director of Community Development

TD:sp
-att

P:\P&CD\PROJECTS\PLAN COMMISSION\2012 PC Petition Files\PC 23-12 415 Otis Ave - Lot Consolidation\Staff Report PC 23-12.doc



415 Otis Avenue Location Map

0 10 20 30 40 Feet



GREENSCAPE HOMES, LLC

Telephone: 630-281-2037
Fax: 630-281-2021

4355 Weaver Parkway Suite 350
Warrenville, IL. 60555

June 6, 2012

VIA PERSONAL DELIVERY

Department of Community Development
Plan Commission
Village of Downers Grove
801 Burlington Avenue
Downers Grove, IL. 60515
Phone: 630-434-5515
Fax: 630-434-5572

Dear Downers Grove Plan Commission:

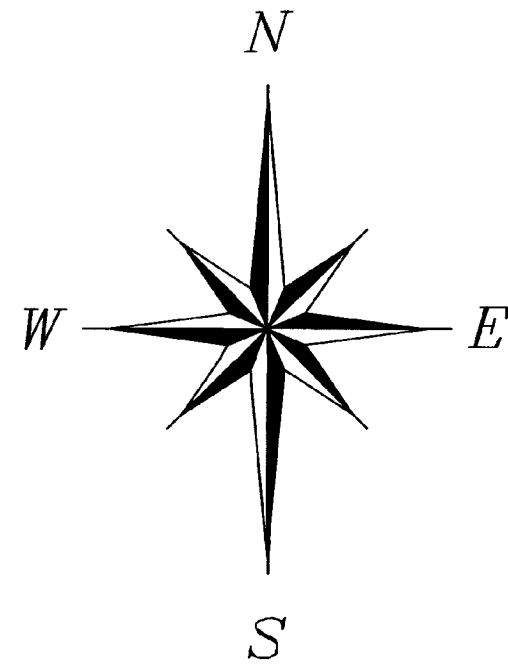
Subject: 415 Otis Downers Grove, IL. 60515
Current Lots: 7 & 8 – Consolidated to New Lot 1

In order to build a new construction single family home at 415 Otis Downers Grove, IL. 60515 we must consolidate Lots 7 & 8 to make one buildable lot. We are submitting with our documents a Boundary & Topographical Survey of the current lots: 7 & 8 and are also including a Plat of Consolidation for the new proposed Lot 1.

If you have any questions, please do not hesitate to contact me.
Sincerely,

Keith Neumann
Director of Operations

KRN/agm



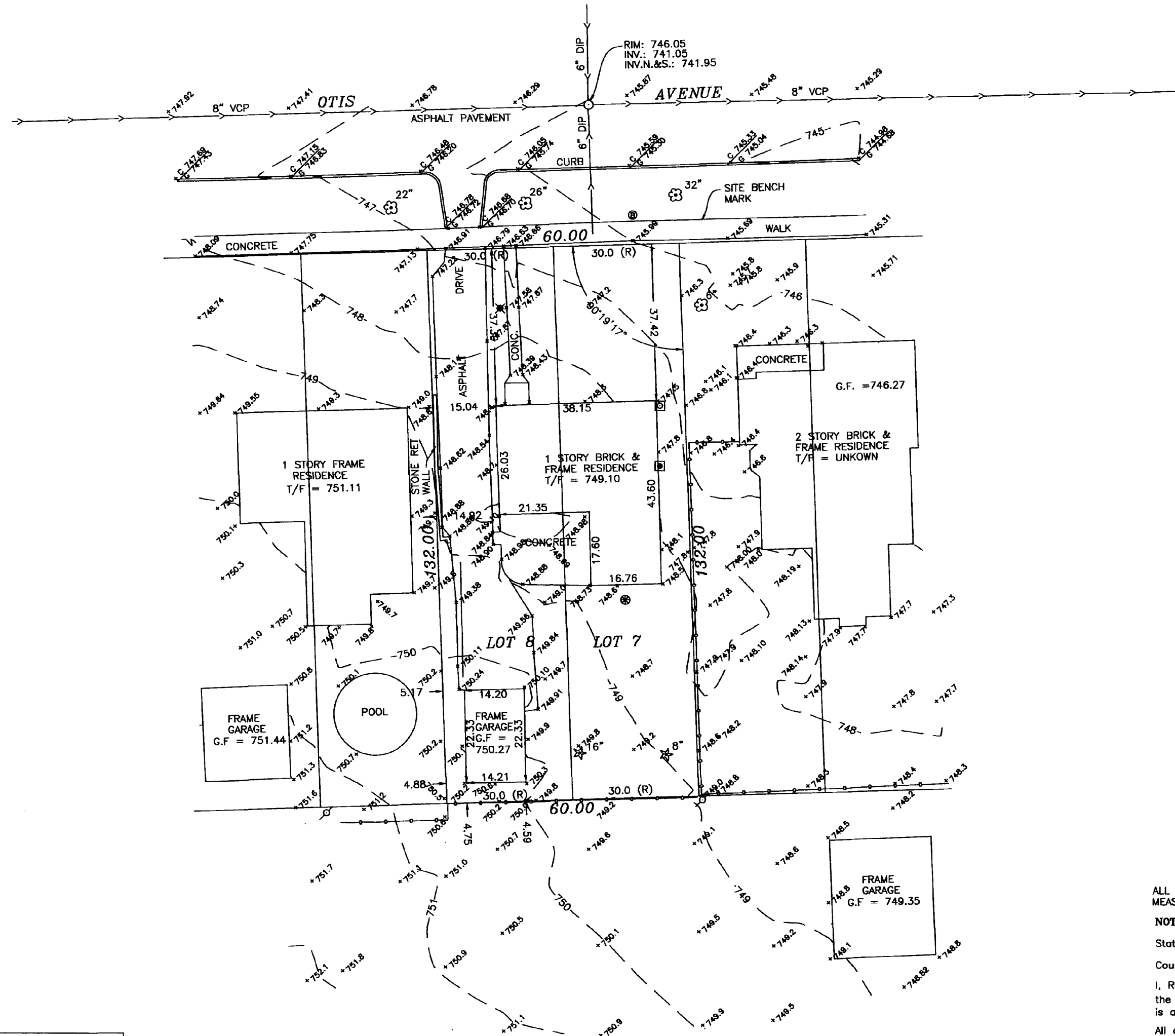
PLAT OF SURVEY

OF

LOTS 7 AND 8 IN BLOCK 10 IN STREETS ADDITION TO DOWNERS GROVE, A SUBDIVISION OF 70 ACRES IN THE EAST 92 RODS IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

AREA IS EQUAL TO:
7,919.88 SQUARE FEET

HARRINGTON 2381 Leeward Lane
Hanover Park, IL 60133
Est. 1970 Voice: 630-830-4894
LAND SURVEYING, LTD. Fax: 630-830-5525
Illinois & Wisconsin
www.HarringtonLandSurveying.com



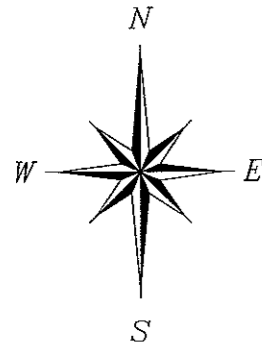
POLLOCK SUBDIVISION

BECOMING A RESUBDIVISION OF

LOTS 7 AND 8 IN BLOCK 10 IN STREETS ADDITION TO DOWNERS GROVE, A SUBDIVISION OF 70 ACRES IN THE EAST 92 RODS IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

P.L.N. 09-05-420-003

415 OTIS AVENUE
DOWNERS GROVE, ILLINOIS



OWNERS CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE) S.S.

THIS IS TO CERTIFY THAT GREENSCAPE HOMES LLC, IS THE HOLDER OF RECORD TITLE TO THE PROPERTY SHOWN AND DESCRIBED ON THE PLAT, AND HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS SHOWN FOR THE USES AND PURPOSES THEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

DATED THIS ____ DAY OF _____ 20__

MANAGING MEMBER

NOTARY CERTIFICATE

STATE OF ILLINOIS
COUNTY OF _____) S.S.

I, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT _____ THE MANAGING MEMBER OF GREENSCAPE HOMES, LLC, PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED THEREON AND THAT HE APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE SIGNED AND DELIVERED THE PLAT AS HIS OWN FREE AND VOLUNTARY ACT UNDER THE STYLE AND TITLE THEREON INDICATED FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS ____ DAY OF _____ 20__

NOTARY PUBLIC

MY COMMISSION EXPIRES:

(R) INDICATES RECORD DIMENSION

FOUND 3/4" DIA. IRON PIPES AT ALL CORNERS

P.U. & D.E. INDICATES PUBLIC UTILITY AND DRAINAGE EASEMENT

ALL BOUNDARY LINE DIMENSIONS ARE RECORD AND MEASURED UNLESS OTHERWISE NOTED.

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT I, RALPH L. MARUGG, AN ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 2436 HAVE SURVEYED AND SUBDIVIDED THE ABOVE 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.

HANDOVER PARK, ILLINOIS, _____ 20__

RALPH L. MARUGG

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2436

LICENSE EXPIRATION/RENEWAL DATE: 11-30-2022

PLAN COMMISSION CERTIFICATE

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

CHAIRMAN

DOWNERS GROVE SANITARY DISTRICT CERTIFICATE

I, _____, COLLECTOR OF THE DOWNERS GROVE SANITARY DISTRICT, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR DEFERRED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPOINTED AGAINST THE TRACT OF LAND, INCLUDED IN THIS PLAT.

COLLECTOR

VILLAGE COLLECTOR CERTIFICATE

I, _____, COLLECTOR FOR THE VILLAGE OF DOWNERS GROVE, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR DEFERRED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPOINTED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT.

VILLAGE COLLECTOR

VILLAGE COUNCIL CERTIFICATE

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

MAYOR

VILLAGE CLERK

SCHOOL DISTRICT CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE) S.S.

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 DISTRICT 99 HIGH SCHOOL DISTRICT, AND DISTRICT 56 ELEMENTARY SCHOOL DISTRICT IN DUPAGE COUNTY, ILLINOIS.

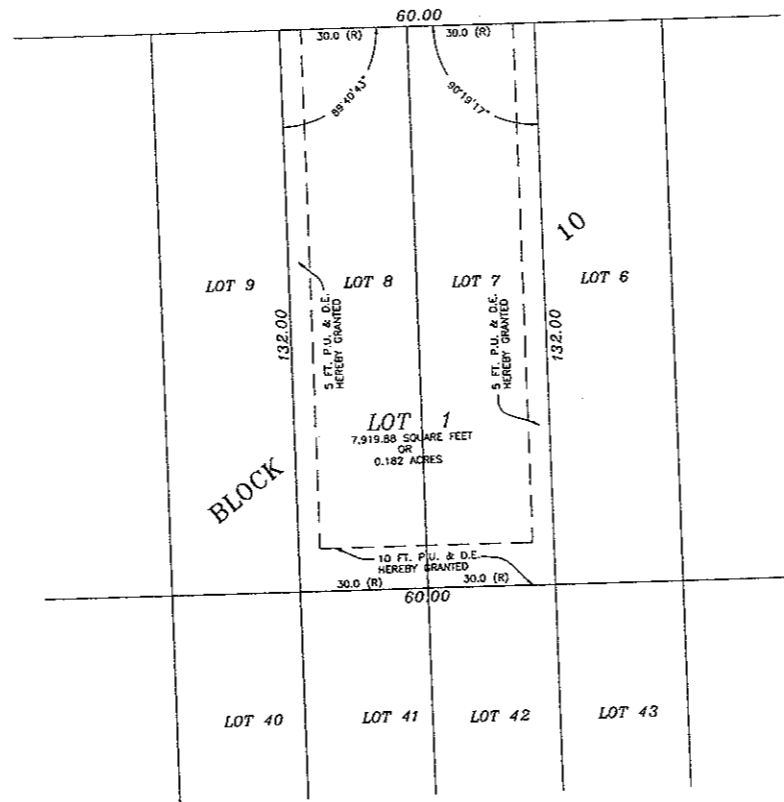
DATED AT _____, ILLINOIS THIS ____ DAY OF _____, A.D. 20__

GREENSCAPE HOMES LLC
MANAGING MEMBER

ENGINEER:
KOZIOL ENGINEERING
1821 OGDEN AVENUE
Lisle, ILLINOIS 60532
(630) 435-8888 VOICE
(630) 435-8689 FAX
MBROWN@KOZIOLENGINEERING.COM

DEVELOPER:
GREENSCAPE HOMES LLC
4355 WEAVER PARKWAY
SUITE 120
WARRENVILLE, ILLINOIS 60555
(630) 281-2052 VOICE
(630) 281-2021 FAX
KEITH.NEUMANN@GREENSCAPEHOMES.COM

OTIS 66.0 FT. WIDE PUBLIC RIGHT OF WAY HERETOFORE DEDICATED AVENUE



DECLARATION OF RESTRICTIVE COVENANTS

THE UNDERSIGNED OWNER HEREBY DECLARES THAT THE REAL PROPERTY DESCRIBED AND DEPICTED ON THIS PLAT OF SUBDIVISION SHALL BE HELD, TRANSFERRED, SOLD, CONVEYED AND OCCUPIED SUBJECT TO THE FOLLOWING COVENANTS AND RESTRICTIONS:

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, MANNERS AND SIMILAR STRUCTURES APPROVED BY THE VILLAGE ENGINEER OF THE VILLAGE OF DOWNERS GROVE PRIOR TO RECORDING OF THIS PLAT OF SUBDIVISION.

AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH STORM DRAINAGE, SANITARY SEWER, STREET LIGHTING, POTABLE WATER SERVICE AND BOTH PUBLIC UTILITY SERVICE, IS HEREBY RESERVED 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, BELOW OR THROUGH THE GROUND SHOWN WITHIN DOTTED LINES ON THE PLAT MARKED "PUBLIC UTILITY AND/OR DRAINAGE EASEMENT", OR SIMILAR LANGUAGE DESIGNATING A STORMWATER OR SEWER EASEMENT, AND 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 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 THE 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 SUBJECT TO THE FOLLOWING RESTRICTIONS RUNNING WITH SAID PROPERTY TO WHOMSOEVER OWNED, TO WIT:

- 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 UNDEGROUND UTILITY LINES AND DRIVEWAYS.
- EACH OWNER OR PURCHASER SHALL BE RESPONSIBLE FOR MAINTAINING THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, APPLICABLE TO HIS LOT IN SUCH A MANNER AS TO INSURE THE FREE AND UNINTERRUPTED FLOW OF STORMWATER THROUGH THE DRAINAGE SYSTEM OF THE SUBDIVISION, AND SHALL NOT DESTROY OR MODIFY GRADES OR SLOPE WITHOUT HAVING FIRST RECEIVED PRIOR WRITTEN APPROVAL OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS.
- 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.
- 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 RECOGNITION OF A NOTICE OF COMPLETION (WITHIN SIXTY DAYS OF THE COMPLETION OF THE WORK), CONSTITUTE A LIEN AGAINST HIS LOT WHICH MAY BE FORECLOSED BY ACTION BROUGHT BY OR ON BEHALF OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS.
- 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 THEREON.

DATED THIS ____ DAY OF _____ 20__

GREENSCAPE HOMES LLC

MANAGING MEMBER

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 SUBSIDIARIES, ILLINOIS & K.A. ILLINOIS BELL TELEPHONE COMPANY, GRANTEEES, 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, PEDIESTALS, EQUIPMENT CABINETS OR OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, COMMUNICATIONS, SOUND AND SIGNALS IN, OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) MARKED "EASEMENT", "UTILITY EASEMENT", "PUBLIC UTILITY EASEMENT", "P.U. & D.E." (OR SIMILAR DESIGNATION), THE PROPERTY DESIGNATED ON THE DECLARATION OF CONDOMINIUM AND/OR ON THIS PLAT AS "COMMON ELEMENTS", AND THE PROPERTY DESIGNATED ON THIS 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, REPAIR, REPLACE, MAINTAIN, OPERATE, RELOCATE, REMOVE, OR OTHERWISE ALTER SUCH FACILITIES OR 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. & D.E." (OR SIMILAR DESIGNATION) WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEEES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

THE TERM "COMMON ELEMENTS" SHALL HAVE THE MEANING SET FORTH FOR SUCH TERM IN THE "CONDOMINIUM PROPERTY ACT", CHAPTER 115 ICS 05/2, AS AMENDED FROM TIME TO TIME.

THE TERM "COMMON AREA OR AREAS" IS DEFINED AS A LOT, PARCEL OR AREA OF REAL PROPERTY, THE BENEFICIAL USE AND ENJOYMENT OF WHICH IS RESERVED IN WHOLE OR IN AN APPURTENANCE TO THE SEPARATELY OWNED LOTS, PARCELS OR AREAS WITHIN THE PLANNED DEVELOPMENT, EVEN THOUGH SUCH IS 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 OR AREAS", AND "COMMON ELEMENTS" INCLUDE REAL PROPERTY SURFACED WITH INTER OR DRIVEWAYS AND WALKWAYS, BUT EXCLUDES REAL PROPERTY OCCUPIED BY A BUILDING, SERVICE BUSINESS DISTRICT OR STRUCTURES SUCH AS POOL, RECREATION POND OR MECHANICAL EQUIPMENT.

RELOCATION OF FACILITIES WILL BE DONE BY GRANTEEES AT COST OF THE GRANTEE OR OWNER, UPON WRITTEN REQUEST.

COUNTY CLERK CERTIFICATE

I, _____, COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES AND NO RECEIVABLE 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 DUPAGE COUNTY, ILLINOIS THIS ____ DAY OF _____, A.D. 20__

COUNTY CLERK

COUNTY RECORDER CERTIFICATE

THIS PLAT WAS FILED FOR RECORD IN THE RECORDERS OFFICE OF DUPAGE COUNTY, ON THE ____ DAY OF _____, A.D. 20__ AT _____ O'CLOCK ____ M. AS DOCUMENT NUMBER _____

RECORDER OF DEEDS

DRAINAGE CERTIFICATE

I, _____, A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS AND _____, OWNER OF THE LAND DEPICTED HEREON OR HIS SOLELY AUTHORIZED ATTORNEY, DO HEREBY STATE, THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, REASONABLE PROVISION HAS BEEN MADE FOR THE COLLECTION AND DRAINAGE OF SUCH SURFACE WATERS INTO PUBLIC AREAS, OR DRAINAGE 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 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 ____ DAY OF _____, A.D. 20__

ILLINOIS REGISTERED PROFESSIONAL ENGINEER

GREENSCAPE HOMES LLC
MANAGING MEMBER

STATE REGISTRATION NUMBER

REGISTRATION EXPIRATION DATE

PROFESSIONAL DESIGN FIRM REGISTRATION NO. 184-003297

www.HarringtonLandSurveying.com
HARRINGTON LAND SURVEYING LTD.
EST. 1970
ILLINOIS & WISCONSIN

ORDERED BY:
GREENSCAPE HOMES LLC

SCALE: 1" = 20'

SURVEY NO.: 055-12
DRAWN BY: RJM
FILE NAME: 055-12.DWG

POLLOCK SUBDIVISION

DRAFT

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

JULY 2, 2012, 7:00 P.M.

File PC-23-12 A petition seeking approval of a Final Plat of Subdivision to consolidate two existing parcels into one lot. The property is located on the south side of Otis Avenue approximately 175 feet west of Fairview Avenue, commonly known as 415 Otis Avenue, Downers Grove, IL (PIN 09-05-420-009); Keith Neumann, Greenscape Homes, Petitioners/Owners.

Chairman Jirik swore in those individuals who would be speaking on the above petition.

Village Planner, Mr. Stan Popovich, walked through the petition, summarizing that the petitioner was seeking a plat of subdivision to consolidate two lots (30 feet wide x 132 feet deep) into one lot of record, creating a total lot of 7,920 sq. feet. The existing single family home and detached garage would be razed for future construction of a single-family home over the common lot line. The proposal was in line with the Village's Comprehensive Plan and Zoning Ordinance since the square footage was within the R-4 requirements for lot width and depth. Appropriate easements were proposed to meet the requirements of the Subdivision Ordinance.

Per Mr. Popovich, proper notification was sent to the surrounding neighbors and published in the newspaper and on-site. Two telephone inquiries were received by staff seeking general information about the proposal. Staff believed the proposal met the requirements of the Subdivision and Zoning Ordinance and was consistent with the Comprehensive Plan. Staff recommended that the Plan Commission forward a positive recommendation to the Village Council including staff's one condition listed in its staff report.

No questions followed. The petitioner was invited to speak.

Mr. Matthew Horner, Greenscape Homes, stated he plans to demolish the existing home and garage on the two lots, combine the two lots, and then construct a new home.

No questions followed. Chairman Jirik invited the public to speak. No public comments followed. Chairman Jirik declared public participation complete. Mr. Horner waived his closing statement. No commissioner comments followed and a motion was entertained by the chairman.

WITH RESPECT TO FILE PC-23-12, MR. HOSE MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, SUBJECT TO THE CONDITION BELOW:

- 1. THE FINAL PLAT SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION OF POLLOCK SUBDIVISION PREPARED BY HARRINGTON LAND SURVEYING, INC. AND ATTACHED TO THE STAFF REPORT, EXCEPT AS SUCH PLAT MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**

SECONDED BY MRS. RABATAH: ROLL CALL:

DRAFT

**AYE: MR. HOSE, MRS. RABATAH, MR. MATEJCZYK, MR. BEGGS, MR. WEBSTER,
CHAIRMAN JIRIK**

NAY: NONE

MOTION CARRIED. VOTE: 6-0

Mr. O'Brien said he expects to have one item on next month's agenda but he would confirm first. He reminded commissioners to take their Open Meetings Act and FOIA training and would confirm if training was necessary for both. Also, he referenced the checklist in the commissioners' packets, which was for their personal use. Mrs. Rabatah appreciated the checklist. Chairman Jirik also agreed the checklist was put together very nicely and emphasized the importance of using the checklist's objective criteria for a clearer/cleaner record to send to the Village Council.

**THE MEETING WAS ADJOURNED AT 8:27 P.M. ON MOTION BY MR. WEBSTER,
SECONDED BY MRS. RABATAH. MOTION CARRIED BY VOICE VOTE OF 6-0.**

/s/ Celeste K. Weilandt

Celeste K. Weilandt

(As transcribed by MP-3 audio)