

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
OCTOBER 2, 2012 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Final Plat of Subdivision - 407 Lake Avenue	✓ 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 three existing lots into one for the property located at 407 Lake Avenue

STRATEGIC PLAN ALIGNMENT

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

FISCAL IMPACT

N/A

RECOMMENDATION

Approval on the October 2, 2012 consent agenda

BACKGROUND

The petitioner is proposing to consolidate three lots into a single 90-foot wide by 132-foot deep lot to demolish the existing structure and construct a new single family house on the property. The 11,880 square foot property, commonly known as 407 Lake Avenue is zoned R-4 Single Family Residential and consists of three 30-foot wide by 132-foot deep lots. A single family residence with an attached garage, owned by the petitioner, are located on the lots.

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:

407 Lake Avenue	Lot Width		Lot Depth		Lot Area	
	Required	Proposed	Required	Proposed	Required	Proposed
Lot 1	50 feet	90 feet (no change)	140 feet	132 feet (No change)	7,500 sq. ft.	11,880 sq. ft. (no change)

The proposed consolidation is consistent with the Comprehensive Plan. The Comprehensive Plan notes the property is located within the single family traditional grid residential area. The traditional grid provides a uniform layout with standard street and lot widths. 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 90 feet in width where adjacent lots are primarily 60 feet wide along this block of Lake Avenue.

The Plan Commission considered the petition at their September 10, 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 September 10, 2012

Minutes of the Plan Commission Hearing dated September 10, 2012

RESOLUTION _____

**A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION
FOR 407 LAKE 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 three parcels into one lot for Matz' Subdivision, located on the south side of Lake Avenue approximately 116 feet west of Fairview Avenue, commonly known as 407 Lake Avenue, Downers Grove, Illinois, legally described as follows:

Lots 5, 6 and 7 in Block 4 in Streets addition to Downers Grove, being a subdivision in the southeast quarter of Section 5, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded October 9, 1875 as Document 20678 in DuPage County, Illinois.

Commonly known as: 407 Lake Avenue, Downers Grove, IL 60515 (PIN 09-05-416-011)

WHEREAS, notice has been given and a public hearing held on September 10, 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 Matz' Subdivision, located at 407 Lake 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 Matz' Subdivision, located at 407 Lake 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 Matz' Subdivision prepared by Harrington Land Surveying, Inc., dated June 13, 2012 and attached to the staff report dated September 10, 2012, except as such plat may be modified to conform to the Village Codes and Ordinances.

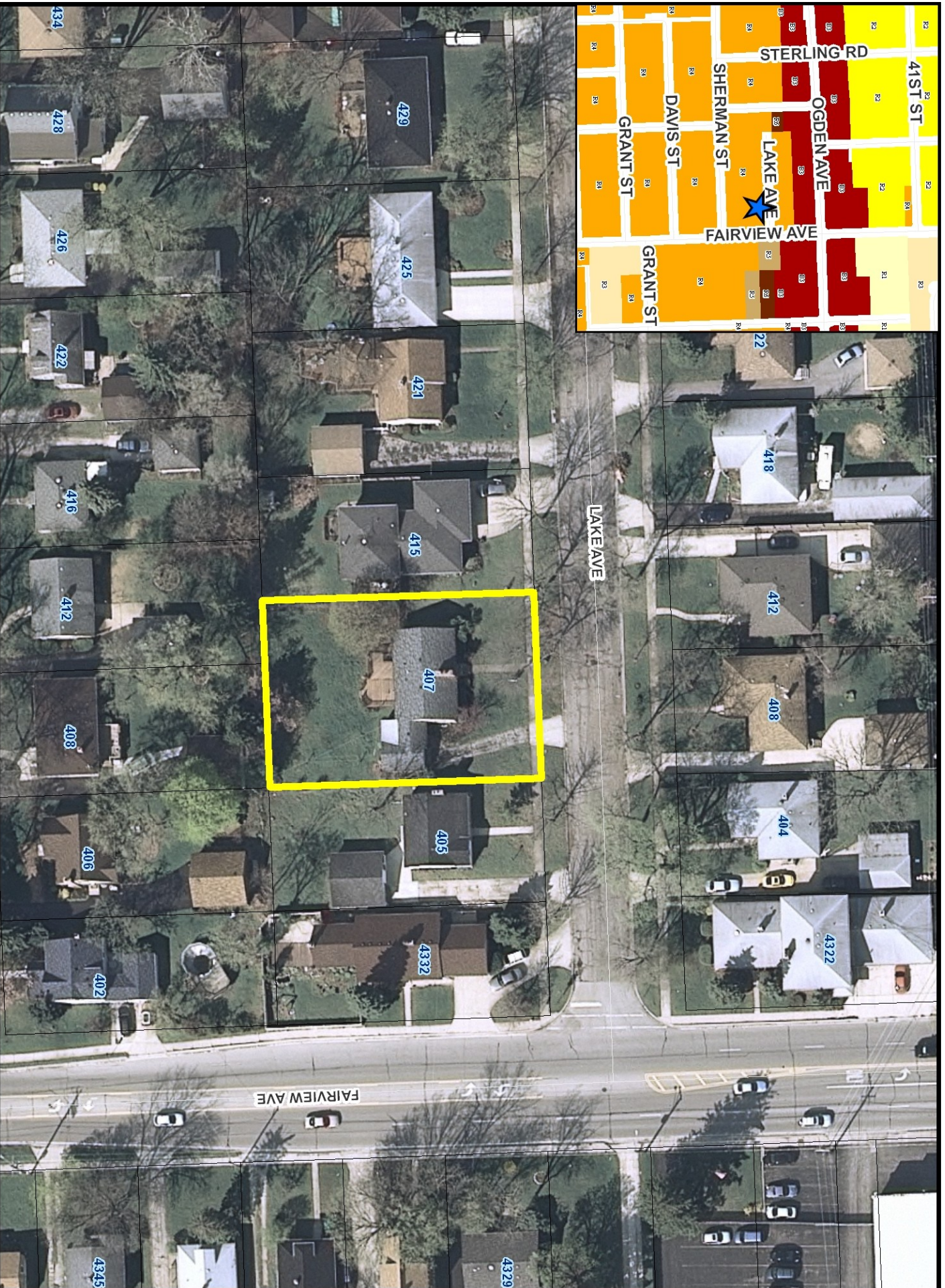
BE IT FURTHER RESOLVED, that the Mayor and Village Clerk are authorized to sign the final plat.

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



FAIRVIEW AVE

LAKE AVE

0 10203040 Feet

407 Lake Avenue Location Map





**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
SEPTEMBER 10, 2012 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
PC-28-12 407 Lake Avenue	Final Plat of Subdivision	Stan Popovich, AICP Planner

REQUEST

The petitioner is requesting approval of a final plat of subdivision to consolidate three 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: 11,880 square feet (0.27 acres)
PIN: 09-05-416-011

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 three existing parcels into one lot. The property, commonly known as 407 Lake Avenue, is zoned R-4 Single Family Residential. The property is made up of three 30-foot wide by 132-foot deep lots totaling 11,880 square feet in size.

The property is improved with a single family home with an attached garage. The petitioner is proposing to demolish the existing home and 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 lot is 90 feet wide where adjacent lots are primarily 60 feet wide. 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 three 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:

407 Lake Avenue	Lot Width		Lot Depth		Lot Area	
	Required	Proposed	Required	Proposed	Required	Proposed
Lot 1	50 feet	90 feet (no change)	140 feet	132 feet (No change)	7,500 sq. ft.	11,880 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 one resident who expressed no concerns regarding this petition.

FINDINGS OF FACT

Staff believes the proposed Final Plat of Subdivision to consolidate the three 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-28-12 subject to the condition below:

1. The final plat shall substantially conform to the Final Plat of Subdivision of Matz' Subdivision prepared by Harrington Land Surveying, Inc., dated June 13, 2012 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 28-12 407 Lake Avenue - Lot Consolidation\Staff Report PC 28-12.doc



407 Lake Avenue Location Map

0 10203040 Feet



GREENSCAPE HOMES, LLC

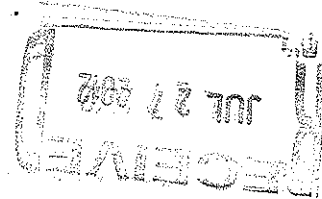
Telephone: 630-281-2037
Fax: 630-281-2021

4355 Weaver Parkway Suite 350
Warrenville, IL. 60555

July 26, 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:

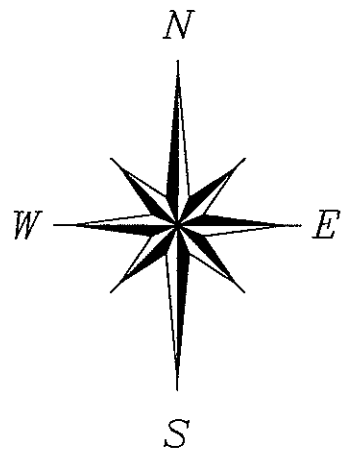
Subject: 407 Lake Avenue, Downers Grove, IL. 60515
Current Lots: 5, 6, & 7 – Consolidated to New Lot 1

In order to build a new construction single family home at 407 Lake Avenue Downers Grove, IL. 60515 we must consolidate Lots 5, 6, & 7 to make one buildable lot. We are submitting with our documents a Boundary & Topographical Survey of the current lots: 5, 6, & 7 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

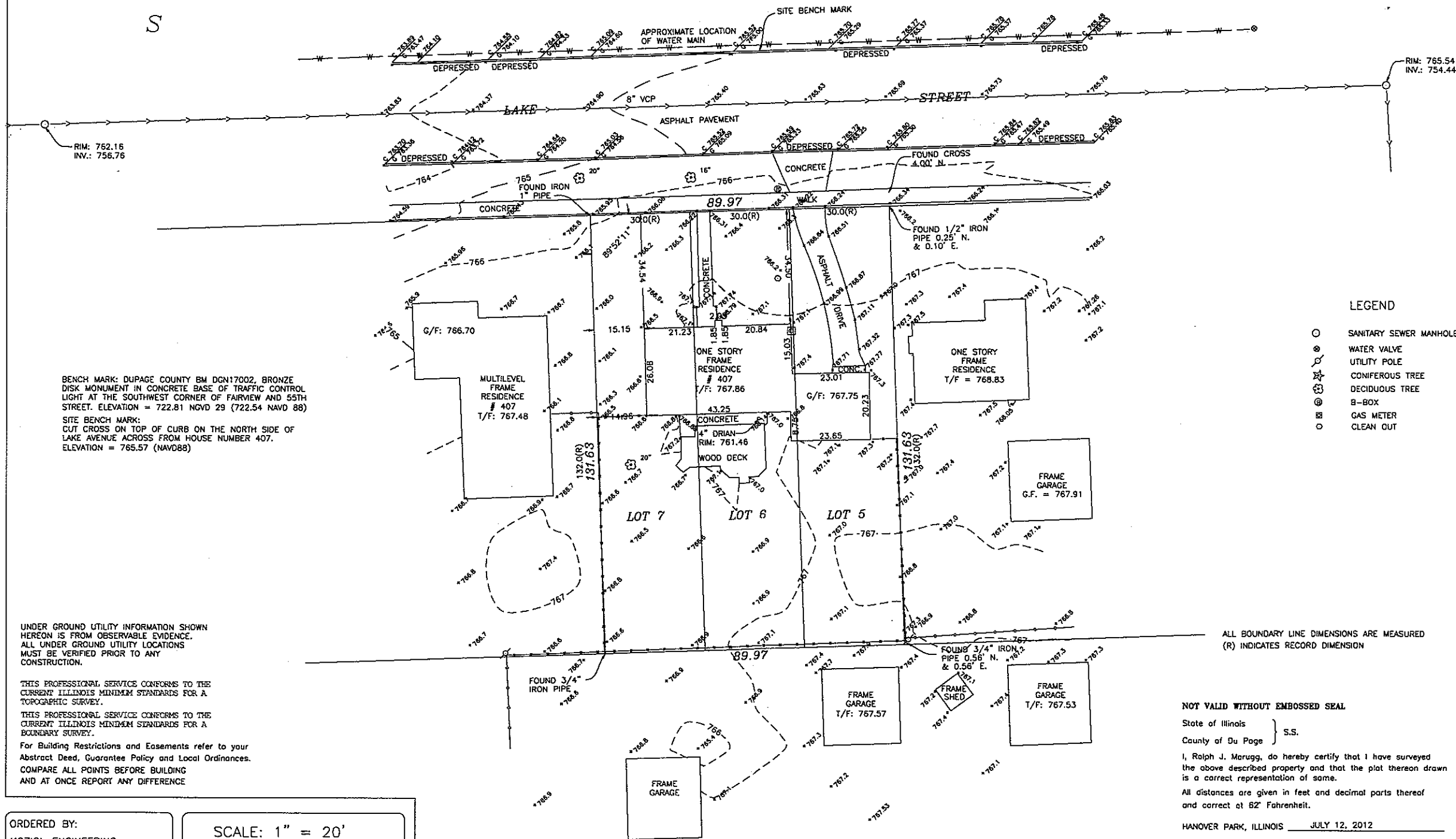
OF

AREA IS EQUAL TO:
11,842.01 SQUARE FEET

LOTS 5, 6 AND 7 IN BLOCK 4 IN STREETS ADDITION TO DOWNERS GROVE, BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 9, 1875 AS DOCUMENT 20678, IN DUPAGE COUNTY, ILLINOIS.

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

RECEIVED
JUL 27 2012



BENCH MARK: DUPAGE COUNTY BM DGN17002, BRONZE DISK MONUMENT IN CONCRETE BASE OF TRAFFIC CONTROL LIGHT AT THE SOUTHWEST CORNER OF FAIRVIEW AND 55TH STREET. ELEVATION = 722.81 NGVD 29 (722.54 NAVD 88)
SITE BENCH MARK: CUT CROSS ON TOP OF CURB ON THE NORTH SIDE OF LAKE AVENUE ACROSS FROM HOUSE NUMBER 407. ELEVATION = 765.57 (NAVD88)

UNDER GROUND UTILITY INFORMATION SHOWN HEREON IS FROM OBSERVABLE EVIDENCE. ALL UNDER GROUND UTILITY LOCATIONS MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A TOPOGRAPHIC SURVEY.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

For Building Restrictions and Easements refer to your Abstract Deed, Guarantee Policy and Local Ordinances. COMPARE ALL POINTS BEFORE BUILDING AND AT ONCE REPORT ANY DIFFERENCE

ALL BOUNDARY LINE DIMENSIONS ARE MEASURED (R) INDICATES RECORD DIMENSION

- LEGEND**
- SANITARY SEWER MANHOLE
 - ⊙ WATER VALVE
 - ⊕ UTILITY POLE
 - ⊗ CONIFEROUS TREE
 - ⊘ DECIDUOUS TREE
 - ⊞ B-BOX
 - ⊞ GAS METER
 - CLEAN OUT

NOT VALID WITHOUT EMBOSSED SEAL

State of Illinois } S.S.
County of Du Page

I, Ralph J. Marugg, do hereby certify that I have surveyed the above described property and that the plat thereon drawn is a correct representation of same.

All distances are given in feet and decimal parts thereof and correct at 82° Fahrenheit.

HANOVER PARK, ILLINOIS JULY 12, 2012

ORDERED BY:
KOZIOL ENGINEERING

SCALE: 1" = 20'

SURVEY NO.: 072-12
DRAWN BY: RJM
FILE NAME: 072-12.DWG

COMMON ADDRESS:
407 LAKE AVENUE
DOWNERS GROVE, ILLINOIS.

FIELD WORK COMPLETED JULY 11, 2012

PROFESSIONAL DESIGN FIRM REGISTRATION NO.: 184-003297

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2436
LICENSE EXPIRATION/RENEWAL: 11-30-2012

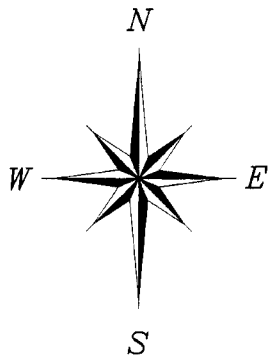
MATZ' SUBDIVISION

BEING A RESUBDIVISION OF

P.L.N. 09-05-416-011

407 LAKE AVENUE
DOWNERS GROVE, ILLINOIS

DECLARATION OF RESTRICTIVE COVENANTS



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 23rd DAY OF August, 2012.

[Signature]
MANAGING MEMBER

NOTARY CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE) S.S.

I, *Ania Matz*, Notary Public in and for said County and State aforesaid, do hereby certify that *Leann P. Neumann*, the Managing Member of Greenscape Homes, LLC, personally known to me to be the same person whose name is subscribed thereto 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 23rd DAY OF August, 2012.

Ania Matz
NOTARY PUBLIC

MY COMMISSION EXPIRES: 2/22/14



LOTS 5, 6 AND 7 IN BLOCK 4 IN STREETS ADDITION TO DOWNERS GROVE, BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 9, 1875 AS DOCUMENT 20678, IN DUPAGE COUNTY, ILLINOIS.

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, TRANSCHEMERS 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 HEREOF, 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 UNDERGROUND 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 STORM WATER 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 RECORDATION OF A NOTICE OF LIEN 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 HEREBY 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 23rd DAY OF August, 2012.

[Signature]
GREENSCAPE HOMES LLC
MANAGING MEMBER



STATE OF ILLINOIS
COUNTY OF DUPAGE) S.S.

WITNESSED BEFORE ME THIS 23rd DAY OF August, A.D. 2012.

NOTARY PUBLIC, *Ania Matz*
MY COMMISSION EXPIRES: 2/22/14

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, 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, 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 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 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.

THE TERM "COMMON ELEMENTS" SHALL HAVE THE MEANING SET FORTH FOR SUCH TERM IN THE "CONDOMINIUM PROPERTY ACT", CHAPTER 765 ILCS 605/2, 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 AS AN APPURTENANCE TO THE SEPARATELY OWNED LOTS, PARCELS OR AREAS WITHIN THE PLANNED DEVELOPMENT, EVEN THOUGH SUCH BE OTHERWISE DESIGNATED ON THE PLAT BY TERMS SUCH AS "OUTLOTS", "COMMON ELEMENTS", "OPEN SPACE", "COMMON GROUND", "PARKING" AND "COMMON AREA". THE TERM "COMMON AREA OR AREAS", AND "COMMON ELEMENTS" INCLUDE REAL PROPERTY SURFACED WITH INTERIOR DRIVEWAYS AND WALKWAYS, BUT EXCLUDES REAL PROPERTY PHYSICALLY OCCUPIED BY A BUILDING, SERVICE BUSINESS DISTRICT OR STRUCTURES SUCH AS POOL, RETENTION POND OR MECHANICAL EQUIPMENT.

RELOCATION OF FACILITIES WILL BE DONE BY GRANTEEES AT COST OF THE GRANTOR/LOT 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 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 DUPAGE COUNTY, ILLINOIS THIS _____ DAY OF _____, A.D. 20____.

COUNTY CLERK

COUNTY RECORDER CERTIFICATE

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

RECORDER OF DEEDS

DRAINAGE CERTIFICATE

I, *James P. Koziol*, A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS AND *Leann P. Neumann*, OWNER OF THE LAND DEPICTED HEREON OR HIS DULY AUTHORIZED ATTORNEY, DO HEREBY STATE, THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, REASONABLE PROVISION HAS BEEN MADE FOR THE COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO 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 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 24th DAY OF August, A.D. 2012.

[Signature]
ILLINOIS REGISTERED PROFESSIONAL ENGINEER
092-41326

STATE REGISTRATION NUMBER
092-41326

REGISTRATION EXPIRATION DATE

[Signature]
GREENSCAPE HOMES LLC
MANAGING MEMBER

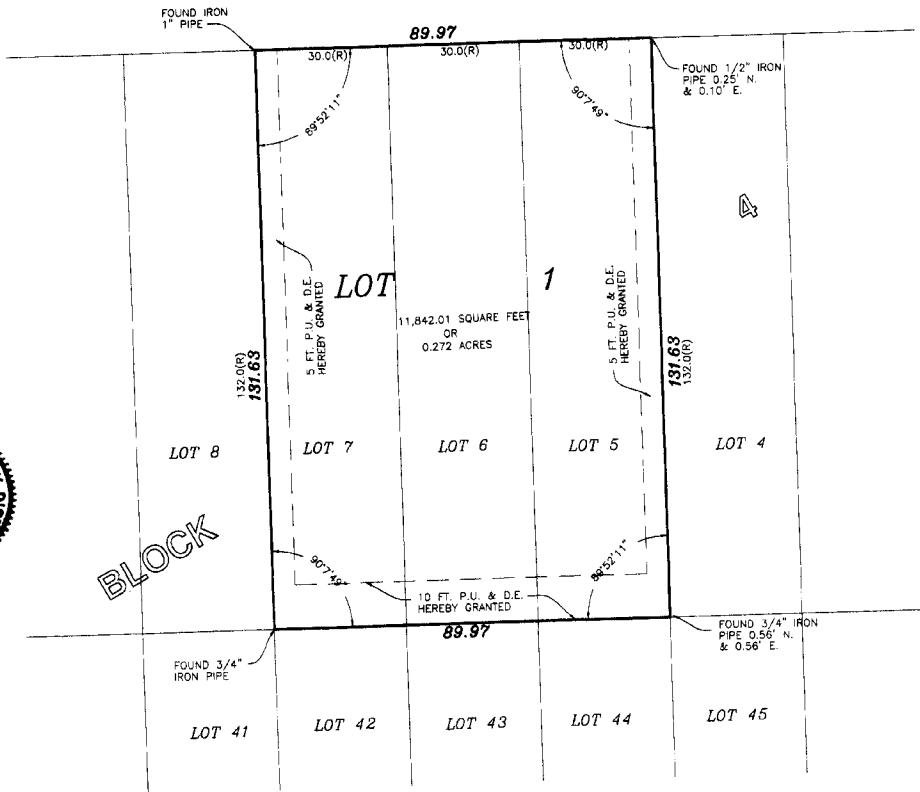
(R) INDICATES RECORD DIMENSION
FOUND 3/4" DIA. IRON PIPES
AT ALL CORNERS

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

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

LAKE 66 FOOT WIDE PUBLIC RIGHT OF WAY
HEREFORE DEDICATED

AVENUE



SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT I, RALPH J. MARUGO, 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.

HANOVER PARK, ILLINOIS, JUNE 13, 2012.

[Signature]
RALPH J. MARUGO
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2436
LICENSE EXPIRATION/RENEWAL DATE: 11-30-2012



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, *Wick Manning*, COLLECTOR OF 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.

[Signature]
COLLECTOR



VILLAGE COLLECTOR CERTIFICATE

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.

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 MATZ' SUBDIVISION TO THE BEST OF THEIR KNOWLEDGE, IS LOCATED WITHIN THE BOUNDARIES OF THE DISTRICT 58 HIGH SCHOOL DISTRICT, AND DISTRICT 58 ELEMENTARY SCHOOL DISTRICT IN DUPAGE COUNTY, ILLINOIS.

DATED AT *Warrenville*, ILLINOIS THIS 20th DAY OF August, A.D., 2012.

[Signature]
GREENSCAPE HOMES LLC
MANAGING MEMBER

PROFESSIONAL DESIGN FIRM REGISTRATION NO. 184-003297

www.HarringtonLandSurveying.com

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2581 LEBWARD LANE
HANOVER PARK, IL 60139
VOICE (630) 850-4894
FAX (630) 850-5925

EST. 1970

LAND SURVEYING LTD.
ILLINOIS & WISCONSIN

ORDERED BY:
GREENSCAPE HOMES LLC

JUNE 13, 2012
SCALE: 1" = 20'

SURVEY NO.: 072-12
DRAWN BY: RJM
FILE NAME: 072-12.DWG

MATZ' SUBDIVISION

ENGINEER:
KOZIOL ENGINEERING
1821 OGDEN AVENUE
LISLE, ILLINOIS 60532
(630) 435-8886 VOICE
(630) 435-8889 FAX
MR@OWN@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



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VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

SEPTEMBER 10, 2012, 7:00 P.M.

Chairman Jirik called the September 10, 2012 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, Mr. Hose, Mr. Matejczyk, Mrs. Rabatah, Mr. Waechtler, Mr. Webster

ABSENT: Mr. Quirk

STAFF PRESENT: Community Development Planning Manager Jeff O'Brien; Planners Stan Popovich and Damir Latinovic

VISITORS: Ms. Marge Earl, 4720 Florence, Downers Grove; Mr. Chris Thulin, T6 Construction, 900 Ogden Ave., Downers Grove; Mr. Keith Neumann, Greenscape Homes, 4355 Weaver Parkway, Warrenville; Mr. Jim Parthun, 4601 Seeley, Downers Grove; Mr. Bob Spondoria, 4612 Seeley, Downers Grove

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

APPROVAL OF THE AUGUST 6, 2012 MINUTES

A question of clarification was raised by Mr. Waechtler on the type of barrier that was being discussed on page 5, i.e., a "moveable, physical barrier" versus "fixed bollards"/permanent posts, wherein Manager Jeff O'Brien stated permanent posts would be added since the condition existed in the Planned Development Ordinance and the change was made by Mr. Cozzo at the prior meeting.

THE MINUTES OF THE AUGUST 6, 2012 MEETING, WITH CORRECTION, WERE APPROVED ON MOTION BY MR. MATEJCZYK, SECONDED BY MR. HOSE. MOTION CARRIED BY VOICE VOTE OF 8-0.

Chairman Jirik reviewed the protocol for the public hearing.

PC-28-12 A petition seeking approval of a Final Plat of Subdivision to consolidate three existing parcels into one lot. The property is located on the south side of Lake Avenue approximately 116 feet west of Fairview Avenue, commonly known as 407 Lake Avenue, Downers Grove, IL (PIN 09-05-416-011); Keith Neumann, Greenscape Homes, Petitioners/Owners.

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

Mr. Stan Popovich, Village Planner, discussed the petitioner was consolidating three parcels (30' feet x 132 feet) into one lot with the entire parcel being just under 12,000 square feet and was currently zoned R-4 Single-Family residential. A single-family home, with attached garage, existed

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on the site but would be razed by the petitioner. A new home was planned for the site but without the consolidation, the new home could not be constructed.

Most of the existing lots on the block were 30 feet wide and the lot under discussion was 90 feet wide. However, adjacent lots and parcels were anywhere between 60 and 90 feet wide, primarily 60 feet along Lake Avenue. Staff believed the request to consolidate the three lots was consistent with the Village's Comprehensive Plan.

Per staff, the property complied with the Zoning Ordinance and the Subdivision Ordinance and the new home would have to comply with the Zoning Ordinance for the bulk standards. Easement requirements were pointed out.

Public notice of this application was sent to property owners within 250 feet of the property and was properly published in the *Downers Grove Reporter* with proper signage posted on the property. Some general inquiries about the property were taken by staff. Staff recommended approval of the petition, subject to staff's one condition in its memo.

Per Mr. Matejczyk's question regarding the area containing many small lots with consolidations over the years, Mr. Popovich surmised from his calculations that many of the 60-foot wide lots were two 30-foot wide lots, since moving down the block the lots were all multiples of thirty. He envisioned if more redevelopment were to occur, more consolidations would likely follow.

Mr. Keith Neumann, Greenscape Homes, 4355 Weaver Parkway, Warrenville, explained he purchased the three parcels and confirmed that after looking at the DuPage County map site, most of the properties were 30 feet wide down the street. He stated he did apply for building permit and will comply with all Village zoning codes and requirements.

No questions from the commissioners followed.

Chairman Jirik opened up the meeting to public comment. No public comment followed. Public comment was declared closed by the chairman and the petitioner waived his closing statement.

Since there was no discussion, the Chairman entertained a motion.

WITH RESPECT TO PC- 28-12, MR. MATEJCZYK MADE A MOTION THAT THE PLAN COMMISSION MAKE A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL REGARDING PC-28-12, SUBJECT TO STAFF'S CONDITION BELOW:

- 1. THE FINAL PLAT SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION OF MATZ' SUBDIVISION PREPARED BY HARRINGTON LAND SURVEYING, INC., DATED JUNE 13, 2012 AND ATTACHED TO THE STAFF REPORT, EXCEPT AS SUCH PLAT MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**

SECONDED BY MR. HOSE.

Mr. Beggs pointed out that while there was no commissioner deliberation it meant that the case was very simple. Others concurred.

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ROLL CALL:

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

NAY: NONE

MOTION CARRIED. VOTE: 8-0