

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
OCTOBER 16, 2012 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Final Plat of Subdivision - 322 Lincoln 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 three existing lots into one for the property located at 322 Lincoln Avenue.

STRATEGIC PLAN ALIGNMENT

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

FISCAL IMPACT

N/A

RECOMMENDATION

Approval on the October 16, 2012 consent agenda.

BACKGROUND

The petitioner is proposing to consolidate three lots into a single 8,662 square foot property to demolish the existing structure and construct a new single family house on the property. The property, commonly known as 322 Lincoln Avenue is zoned R-4 Single Family Residential and consists of two 25-foot wide by 142-foot deep lots and one 11-foot wide by 142-foot deep portion of a lot. A single family residence and detached garage, both 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(b) of the Subdivision Control Ordinance. The dimensions for the new lot are outlined in the table below:

322 Lincoln Avenue	Lot Width		Lot Depth		Lot Area	
	Required	Proposed	Required	Proposed	Required	Proposed
Lot 1	50 feet	61 feet (no change)	140 feet	142 feet (No change)	7,500 sq. ft.	8,662 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 61 feet in width where adjacent lots vary in width from 50 feet to 65 feet along this block of Lincoln Avenue.

The Plan Commission considered the petition at their October 1, 2012 meeting. One resident was concerned with the stormwater implications of a new single family home. The Commission noted all development must comply with the Village's Stormwater Management Ordinance. 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 October 1, 2012

Minutes of the Plan Commission Hearing dated October 1, 2012

RESOLUTION _____

**A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION
FOR 322 LINCOLN 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 Burkhardt Subdivision, located on the north side of Lincoln Avenue approximately 260 feet east of Fairview Avenue, commonly known as 322 Lincoln Avenue, Downers Grove, Illinois, legally described as follows:

Lots 36, 37 and the West 10 feet of Lot 38 in Block 1 in the East Grove Syndicate Subdivision, being a subdivision of part of the southwest quarter of Section 4, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded July 9, 1890 as Document 43071 in DuPage County, Illinois.

Commonly known as 322 Lincoln Avenue, Downers Grove, IL 60515 (PIN 09-04-302-017)

WHEREAS, notice has been given and a public hearing held on October 1, 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 Burkhardt Subdivision, located at 322 Lincoln 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 Burkhardt Subdivision, located at 322 Lincoln 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 Burkhardt Subdivision prepared by Harrington Land Surveying, Ltd., dated September 17, 2012 and attached to the staff report dated October 1, 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

BURKHARDT SUBDIVISION

BEING A RESUBDIVISION OF

LOTS 36, 37 AND THE WEST 10 FEET OF LOT 38 IN BLOCK 1 IN THE EAST GROVE SYNDICATE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 9, 1890 AS DOCUMENT NUMBER 43071, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 09-04-302-017

322 LINCOLN AVENUE
DOWNERS GROVE, ILLINOIS.

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, MARKERS 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 SEVERALLY, 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 HEREBY GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEES' FACILITIES OR IN, UPON OR OVER, THE PROPERTY WITHIN THE STORMWATER OR SEWER EASEMENT 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.

WHEREAS SAID LOTS WILL BE CONVEYED TO PURCHASERS SUBJECT TO THIS DECLARATION AND TO THE END THAT THE RESTRICTIONS IMPOSED SHALL INURE TO THE BENEFIT OF EACH AND ALL OF THE PURCHASERS OF SAID 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 HEREBY 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 SHOWING 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/IT 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 GRADIS 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 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 RECORDED A NOTICE OF LIEN WITHIN SIXTY DAYS OF THE COMPLETION OF THE WORK, CONSTITUTE A LIEN AGAINST HIS/LOT WHO 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 FULL FORCE 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 _____ DAY OF _____, 20____.

GREENSCAPE HOMES LLC

MANAGING MEMBER

STATE OF ILLINOIS

COUNTY OF _____ S.S.

WITNESSED BEFORE ME THIS _____ DAY OF _____, A.D. 2012.

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, 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 AND WIRING, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, FEEDSTALS, EQUIPMENT CABINETS OR OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, COMMUNICATIONS, SOUNDS AND SIGNALS, 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 HEREBY GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEES' 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 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 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", "OPEN AREA", "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 EXCLUDE 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, _____ A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS AND _____ OWNER OF THE LAND DEPICTED HEREON OR HIS/LLY 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 ENGINEERS, 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____.

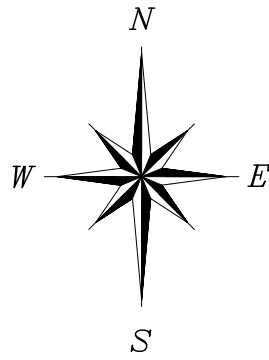
ILLINOIS REGISTERED PROFESSIONAL ENGINEER

GREENSCAPE HOMES LLC

STATE REGISTRATION NUMBER

MANAGING MEMBER

REGISTRATION EXPIRATION DATE



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 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 _____ DAY OF _____, 20____.

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

(R) INDICATES RECORD DIMENSION

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 J. MARLOGG, 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, SEPTEMBER 17, 2012.

RALPH J. MARLOGG

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, _____, 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.

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 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.

MAJOR

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 BURKHARDT SUBDIVISION TO THE BEST OF THEIR KNOWLEDGE, IS LOCATED WITHIN THE BOUNDARIES OF THE DISTRICT 89 HIGH SCHOOL DISTRICT, AND DISTRICT 58 ELEMENTARY SCHOOL DISTRICT IN DUPAGE COUNTY, ILLINOIS.

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

GREENSCAPE HOMES LLC

MANAGING MEMBER

ENGINEER:
KOZIOL ENGINEERING
1621 OGDEN AVENUE
LISLE, ILLINOIS 60532
(630) 435-8686 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

PROFESSIONAL DESIGN FIRM REGISTRATION NO. 184-003297

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

ORDERED BY:
GREENSCAPE HOMES LLC

SEPTEMBER 17, 2012
SCALE: 1" = 20'

SURVEY NO.: 089-12
DRAWN BY: RJM
FILE NAME: 089-12C.DWG

BURKHARDT SUBDIVISION



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
OCTOBER 1, 2012 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
PC 33-12 322 Lincoln 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: 8,662 square feet (0.20 acres)
PIN: 09-04-302-017

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 322 Lincoln Avenue, is zoned R-4 Single Family Residential. The property is made up of two 25-foot wide by 142-foot deep lots and one 11-foot wide by 142-foot deep portion of a lot.

The property is improved with a single family home and a 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 lot is 61 feet wide where neighboring lots vary in width from 50 feet to 65 feet. 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:

322 Lincoln Avenue	Lot Width		Lot Depth		Lot Area	
	Required	Proposed	Required	Proposed	Required	Proposed
Lot 1	50 feet	61 feet (no change)	140 feet	142 feet (No change)	7,500 sq. ft.	8,662 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 (north) 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 a couple residents 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 33-12 subject to the condition below:

1. The final plat shall substantially conform to the Final Plat of Subdivision of Burkhardt Subdivision prepared by Harrington Land Surveying, Inc., dated September 17, 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

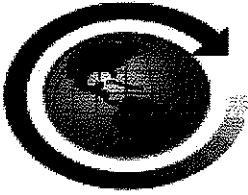
P:\P&CD\PROJECTS\PLAN COMMISSION\2012 PC Petition Files\PC 33-12 322 Lincoln Avenue - Lot Consolidation\Staff Report PC 33-12.doc



0 10203040 Feet



322 Lincoln Avenue Location Map



GREENSCAPE HOMES, LLC

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

**4355 Weaver Parkway Suite 350
Warrenville, IL. 60555**

September 5, 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:

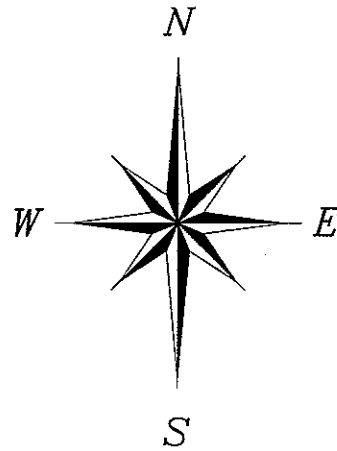
Subject: 322 Lincoln Ave. Downers Grove, IL. 60515
Current Lots: 36 & 37 – Consolidated to New Lot 1

In order to build a new construction single family home at 322 Lincoln Avenue Downers Grove, IL. 60515 we must consolidate Lots 36 & 37 to make one buildable lot. We are submitting with our documents a Boundary & Topographical Survey of the current lots: 36 & 37 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 36, 37 AND THE WEST 10 FEET OF LOT 38 IN BLOCK 1 IN THE EAST GROVE SYNDICATE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 9, 1890 AS DOCUMENT NUMBER 43071, IN DUPAGE COUNTY, ILLINOIS.

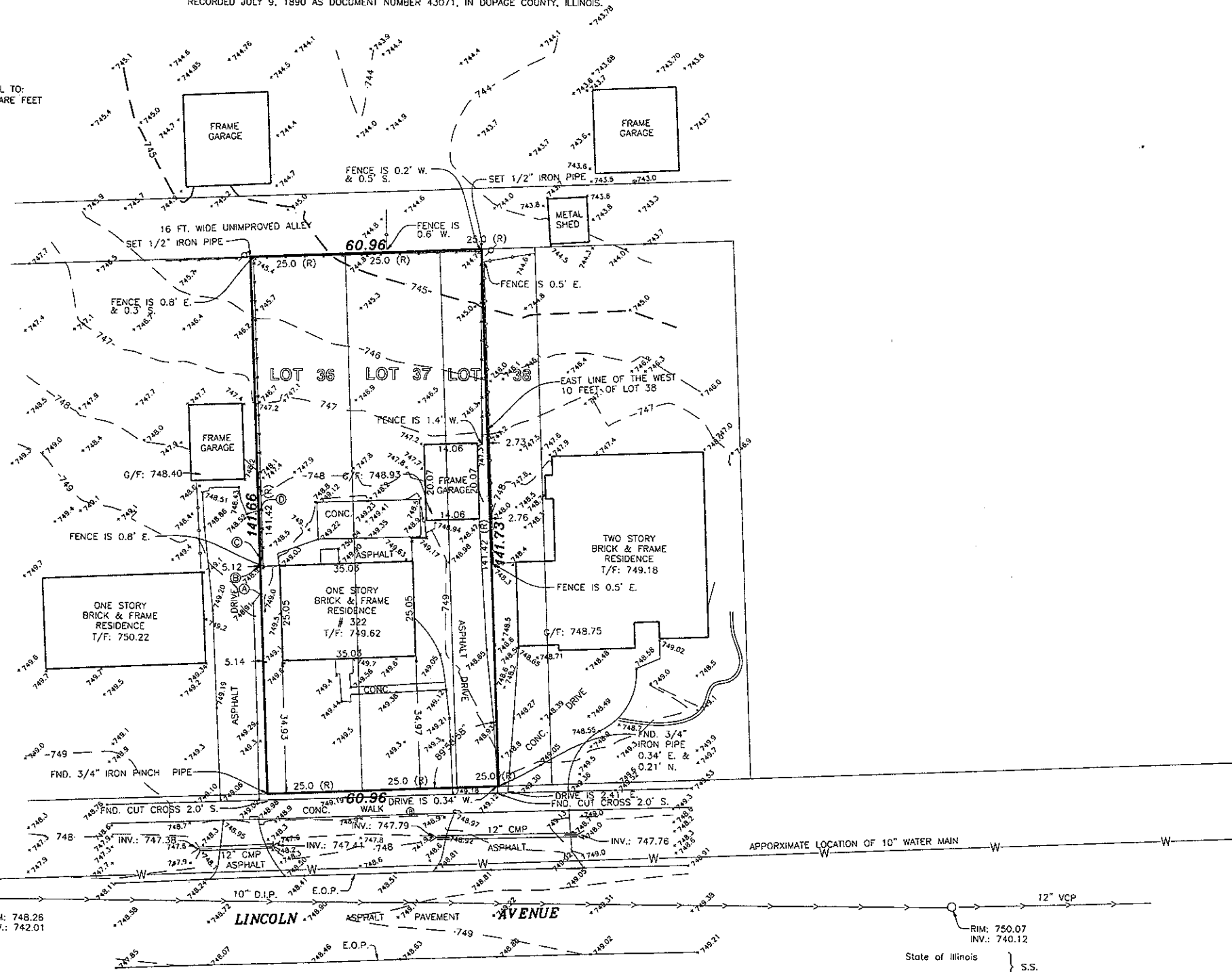
HARRINGTON 2381 Leeward Lane
Hanover Park, IL 60133
Est. 1970 Voice: 630-830-4894
LAND SURVEYING, LTD. Fax: 630-830-5525
Illinois & Wisconsin
www.HarringtonLandSurveying.com

AREA IS EQUAL TO:
8,637.11 SQUARE FEET

BENCH MARK:
DUPAGE COUNTY SURVEY MARKER DGN07001
LOCATED AT THE NORTHWEST CORNER OF
MAPLE AVENUE AND DUNHAM ROAD.
ELEVATION = 743.51 (NGVD 1929)
(743.24 NAVD 88)

SITE BENCH MARK:
CHISELED SQUARE LOCATED IN FRONT OF
WALK ON SOUTH SIDE OF LINCOLN AVENUE
ACROSS FROM SUBJECT PROPERTY.
ELEVATION: 749.49 (NAVD 88)

- ⓐ DRIVE IS 0.4' E.
- ⓑ DRIVE IS 0.5' E.
- ⓒ DRIVE IS 0.2' W.
- ⓓ DRIVE IS 0.3' W.



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

ORDERED BY:
KOZIOL ENGINEERING

SCALE: 1" = 20'

SURVEY NO.: 089-12
DRAWN BY: J.M.M.
FILE NAME: 089-12.DWG

COMMON ADDRESS:
322 LINCOLN AVENUE
DOWNERS GROVE, ILLINOIS

PROFESSIONAL DESIGN FIRM REGISTRATION NO.: 184-003297

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

FIELD WORK COMPLETED: AUGUST 10, 2012

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

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 62° Fahrenheit.

HANOVER PARK, ILLINOIS _____

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2436
LICENSE EXPIRATION/RENEWAL: 11-30-2012
NOT VALID WITHOUT EMBOSSED SEAL

BURKHARDT SUBDIVISION

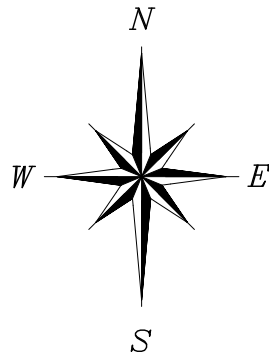
BEING A RESUBDIVISION OF

LOTS 36, 37 AND THE WEST 10 FEET OF LOT 38 IN BLOCK 1 IN THE EAST GROVE SYNDICATE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 9, 1890 AS DOCUMENT NUMBER 43071, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 09-04-302-017

322 LINCOLN 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 ____ 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 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 ____ DAY OF _____, 20____.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

(R) INDICATES RECORD DIMENSION

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 J. MARLOGG, 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, SEPTEMBER 17, 2012.

RALPH J. MARLOGG
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, _____, 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.

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 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.

MAJOR

VILLAGE CLERK

SCHOOL DISTRICT CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF DUPAGE) S.S.

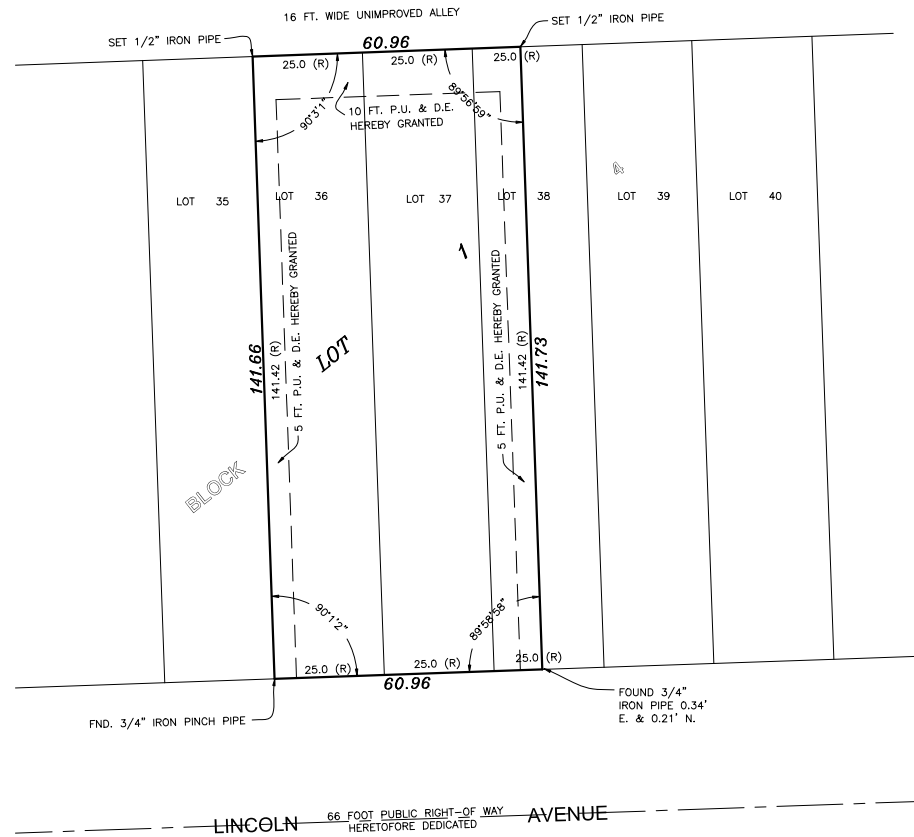
THE UNDERSIGNED DO HEREBY CERTIFY THAT, AS OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND KNOWN AS BURKHARDT SUBDIVISION TO THE BEST OF THEIR KNOWLEDGE, IS LOCATED WITHIN THE BOUNDARIES OF THE DISTRICT 89 HIGH SCHOOL DISTRICT, AND DISTRICT 58 ELEMENTARY SCHOOL DISTRICT IN DUPAGE COUNTY, ILLINOIS.

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

GREENSCAPE HOMES LLC
MANAGING MEMBER

ENGINEER:
KOZIOL ENGINEERING
1621 OGDEN AVENUE
LISLE, ILLINOIS 60532
(630) 435-8686 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



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, MARKERS 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 SEVERALLY, 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 HEREBY GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEES 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 SAID 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, COVENANTS, AGREEMENTS, AND CHARGES HEREBY 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 SHOWING 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/IT 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 GRADISOR 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 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 RECORDECTION OF A NOTICE OF LIEN WITHIN SIXTY DAYS OF THE COMPLETION OF THE WORK, CONSTITUTE A LIEN AGAINST HIS/LOT WHO 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 FULL FORCE 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 ____ DAY OF _____, 20____.

GREENSCAPE HOMES LLC

MANAGING MEMBER

STATE OF ILLINOIS)

COUNTY OF _____) S.S.

WITNESSED BEFORE ME THIS ____ DAY OF _____, A.D. 2012.

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 SUB AMERTECH, 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 AND WIRING, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, FEEDSTALS, EQUIPMENT CABINETS OR OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, COMMUNICATIONS, SOUNDS AND SIGNALS, 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 HEREBY GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEES 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 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 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 IN 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", "OPEN AREA", "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, _____, A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS AND _____, OWNER OF THE LAND DEPICTED HEREBY OR HIS/LLY 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 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 AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION. FURTHER, AS ENGINEERS, 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

STATE REGISTRATION NUMBER

REGISTRATION EXPIRATION DATE

GREENSCAPE HOMES LLC

MANAGING MEMBER

PROFESSIONAL DESIGN FIRM REGISTRATION NO. 184-003297

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

ORDERED BY:
GREENSCAPE HOMES LLC

SEPTEMBER 17, 2012
SCALE: 1" = 20'

SURVEY NO.: 089-12
DRAWN BY: RJM
FILE NAME: 089-12C.DWG

BURKHARDT SUBDIVISION

PC-33-12 A petition seeking approval of a Final Plat of Subdivision to consolidate three existing parcels into one lot. The property is located on the north side of Lincoln Avenue approximately 260 feet east of Fairview Avenue, commonly known as 322 Lincoln Avenue, Downers Grove, IL (PIN 09-04-302-017); Keith Neumann, Greenscape Homes, LLC, Petitioner/Owner.

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

Mr. Popovich, reviewed the lot consolidation before the commissioners, noting the petition was for the consolidation of three lots into a single lot of record. The parcel was zoned R-4 Single Family Residential. Currently, the site consisted of two lots (25 feet x 142 feet wide) and one adjacent lot (11 feet x 142 feet) with a single-family home and detached garage. The owner was proposing to raze the structures and construct a new home over the two common lot lines. Without the consolidation, the new construction could not be permitted. The Village's Comprehensive Plan reflected that the lot was in a single-family traditional grid area with a 61-foot wide lot. Other lot widths in the area ranged from 50 to 65. Staff believed the proposal was consistent with the Village's Comprehensive Plan and the Subdivision and Zoning Ordinance. Lot dimensions and utility easements were referenced in staff's report. Notification was published appropriately via signage, newspaper, and mailings to residents within 250 feet.

Staff did speak to a neighbor to the rear of the subject property who was concerned about stormwater drainage. At that time, staff explained the proposal would have to undergo administrative review for a building permit and would have to comply with the Village's Stormwater Ordinance. Staff recommended that the Plan Commission forward a positive recommendation to the Village Council with its one condition stated in staff's report.

A question was asked how an 11-foot wide lot came about, wherein staff explained the 11-foot lot was part of the 25-foot lot to the east.

The Chairman invited the petitioner to speak.

Mr. Keith Neumann, Greenscape Homes, 4355 Weaver Parkway, Warrenville, Illinois, stated he was seeking approval for the lot consolidation located at 322 Lincoln Street, which lot measured 61 feet by 142 feet deep (2-1/2 lots). He intended to construct a single-family home and needed the lots to be consolidated in order to construct the home. No questions followed.

Chairman Hose invited the public to speak.

Mr. Robert Vogel, 335 Otis Avenue, said he resides west of where the new home will be constructed. He shared his concerns of the home's size and water run-off. He commented on the waters problems at 318 Lincoln Street and mentioned a private water line the petitioner could hook into. Mr. Vogel discussed some of the personal water issues he experienced on his property.

In response, Chairman Hose explained that the Plan Commission's charge tonight was to review lot lines and any concerns about a home's size or compliance with the Stormwater Ordinance would have to go through the permitting process. He encouraged Mr. Vogel to track the petition and building permit process.

A Commission question was asked if more stringent storm water requirements were adopted in the last five years as compared to the past 15 years, wherein Jeff O'Brien, responded that the Village follows the DuPage County Stormwater Ordinance which was amended in August 2012. He explained the modifications focused on water quality and many projects are required to implement Best Management Practices to accommodate the new requirements.

Hearing no further comments, Chairman Hose closed public comment. Mr. Neumann waived his right to a closing statement. Mr. Beggs reiterated his earlier comment about removing lot lines. Mrs. Rabatah added that the petition was compatible with its zoning and land use classifications.

WITH RESPECT TO FILE PC-33-12, MR. MATEJCZYK MADE A MOTION THAT THE PLAN COMMISSION RECOMMEND A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL SUBJECT TO THE FOLLOWING CONDITION:

- 1. THE FINAL PLAT SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION OF BURKHARDT SUBDIVISION PREPARED BY HARRINGTON LAND SURVEYING, INC., DATED SEPTEMBER 17, 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. COZZO.

ROLL CALL:

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

NAY: NONE

MOTION CARRIED. VOTE: 7-0