

VILLAGE OF DOWNERS GROVE
Report for the Village Council Meeting
4/19/2016

SUBJECT:	SUBMITTED BY:
4617 Roslyn Road - Special Use Extended Family Accessory Housing	Stan Popovich, AICP Director of Community Development

SYNOPSIS

An ordinance has been prepared to grant Special Use approval for an Extended Family Accessory Housing Unit at 4617 Roslyn Road.

STRATEGIC PLAN ALIGNMENT

The goals for 2015-2017 include *Continual Innovation*.

FISCAL IMPACT

N/A

UPDATE & RECOMMENDATION

This item was discussed at the March 22, 2016 Village Council meeting and tabled at the April 5, 2016 Village Council meeting. Staff recommends approval on the April 19, 2016 Active Agenda.

BACKGROUNDProperty Information and Zoning Request

The petitioner is proposing to construct a new single family house with an attached in-law suite to create an Extended Family Accessory Housing unit at 4617 Roslyn Road. The subject property is zoned R-4, Residential Detached House 4, and is located on the east side of Roslyn Road, approximately 500 feet north of Chicago Avenue. Extended Family Accessory Housing is an allowable Special Use in the R-4 zoning district per Section 6.010.F of the Zoning Ordinance.

The proposed accessory unit will have its own separate entrance on the north side of the house. The unit consists of a living room, dining room, kitchen, bedroom, and one-car garage. The unit will also be connected to the primary unit. The proposed structure will have the overall appearance of a detached house. Conversion plans have also been submitted should the approval conditions of special use permit lapse.

Compliance with the Zoning Ordinance

Extended Family Accessory Housing is an allowable Special Use in the R-4 zoning district per Section 6.010.F of the Zoning Ordinance. All other zoning ordinance requirements for Extended Family Accessory Housing will be met with this proposal and is consistent with the Zoning Ordinance.

Compliance with the Comprehensive Plan

The Comprehensive Plan calls for a variety of housing and dwelling unit types and recommends providing housing that meets the needs of senior citizens to allow residents to age in place. As this property will retain the look of a single family detached house, there will be no impact on the existing single family neighborhood character. The proposal is consistent with the Comprehensive Plan and will not diminish the use of the surrounding properties.

Public Comment

Two members of the public spoke. One sought clarification on the requirement to convert the Extended Family Accessory Housing if the Special Use were to lapse. The other, an adjacent neighbor, supported the proposal. He also stated that due to an aging population and the desire of senior citizens to stay in the community, Extended Family Accessory Housing units are a necessity.

ATTACHMENTS

Ordinance

Aerial Map

Staff Report with attachments dated March 7, 2016

Draft Minutes of the Plan Commission Hearing dated March 7, 2016

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Applicant DATE: April 19, 2016
(Name)

RECOMMENDATION FROM: _____ FILE REF: 16-PLC-0012
(Board or Department)

NATURE OF ACTION:

STEPS NEEDED TO IMPLEMENT ACTION:

- Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "AN ORDINANCE
AUTHORIZING A SPECIAL USE FOR 4617
ROSLYN ROAD TO PERMIT AN EXTENDED
FAMILY ACCESSORY HOUSING UNIT", as
presented.

DDP

SUMMARY OF ITEM:

Adoption of the attached ordinance will authorize a special use for 4617 Roslyn Road to permit an extended family accessory housing unit.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____**AN ORDINANCE AUTHORIZING A SPECIAL USE
FOR 4617 ROSLYN ROAD TO PERMIT
AN EXTENDED FAMILY ACCESSORY HOUSING UNIT**

WHEREAS, the following described property, to wit:

□ LOT 5 IN BLOCK 1 IN ARTHUR T. MCINTOSH AND COMPANY'S EAST GROVE ACRES, BEING A SUBDIVISION OF THE EAST 1317.36 FEET OF THE SOUTH 1017.72 FEET OF THE SOUTHWEST 1/4 OF SECTION 4; ALSO THE EAST 1317.36 FEET OF THAT PART OF SECTION 9, LYING NORTH OF THE CENTER LINE OF THE PUBLIC HIGHWAY KNOWN AS NAPERVILLE ROAD, ALL IN TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOI

Commonly known as 4617 Roslyn Road, Downers Grove, IL 60515
PIN 09-04-313-012

(hereinafter referred to as the "Property") is presently zoned "*R-4, Residential Detached House 4*" under the Comprehensive Zoning Ordinance of the Village of Downers Grove; and

WHEREAS, the owner of the Property has filed with the Plan Commission, a written petition conforming to the requirements of the Zoning Ordinance, requesting that a Special Use per Section 28.6.010.F of the Zoning Ordinance be granted to allow an extended family accessory housing unit; and,

WHEREAS, such petition was referred to the Plan Commission of the Village of Downers Grove, and said Plan Commission has given the required public notice, has conducted a public hearing respecting said petition on March 7, 2016 and has made its findings and recommendations, all in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and,

WHEREAS, the Plan Commission has recommended approval of the Special Use, subject to certain conditions; and,

WHEREAS, the Village Council finds that the evidence presented in support of said petition, as stated in the aforesaid findings and recommendations of the Plan Commission, is such as to establish the following:

1. That the proposed use is expressly authorized as a Special Use in the district in which it is to be located;
2. That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community;
3. That the proposed use will not, in this particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Downers Grove, in DuPage County, Illinois, as follows:

SECTION 1. That Special Use of the Property is hereby granted to allow an extended family accessory housing unit.

SECTION 2. This approval is subject to the following conditions:

1. The proposed extended family accessory housing unit shall substantially conform to the staff report dated March 7, 2016 and architectural plans prepared by Lucchese & Associates, Ltd, dated January 18, 2016, except as such plans may be modified to conform to the Village codes and ordinances.
2. The petitioner shall permit the Village to complete an annual inspection of the premises to assure continuing compliance with Extended Family Accessory Housing regulations.
3. The petitioner shall annually submit to the Village a sworn affidavit that certifies continued compliance with Extended Family Accessory Housing regulations.
4. The accessory unit shall be converted to be a part of the existing single family dwelling unit within 120 days of the lapse of the Special Use approval.

SECTION 3. The above conditions are hereby made part of the terms under which the Special Use is granted. Violation of any or all of such conditions shall be deemed a violation of the Village of Downers Grove Zoning Ordinance, the penalty for which may include, but is not limited to, a fine and/or revocation of the Special Use granted herein.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

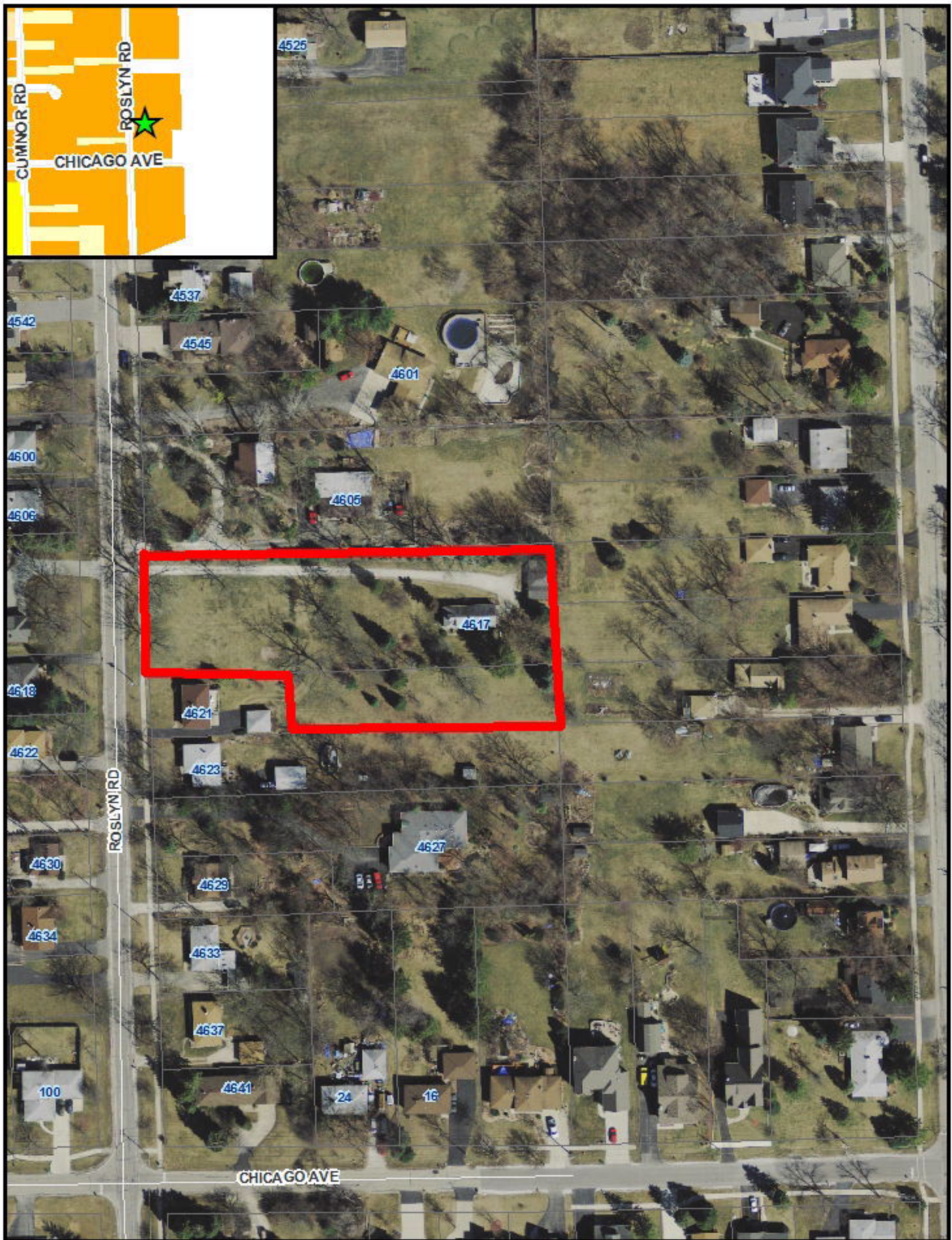
Mayor

Passed:

Published:

Attest: _____

Village Clerk



4617 Roslyn Rd. - Location Map





**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
MARCH 7, 2016 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
16-PLC-00012 Extended Family Accessory Housing at 4617 Roslyn Road	Special Use	Scott Williams Planner

REQUEST

The petitioner is requesting Special Use approval for Extended Family Accessory Housing at 4617 Roslyn Road.

NOTICE

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

GENERAL INFORMATION

**OWNER/
APPLICANT:** Angelica and Mark Speyer
3931 Longmeadow Drive
Downers Grove, IL 60515

PROPERTY INFORMATION

EXISTING ZONING: R-4, Residential Detached House 4
EXISTING LAND USE: Single Family Residential
PROPERTY SIZE: 62,886 sq ft (1.44 acres)
PIN: 09-04-313-012

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	R-4, Residential Detached House 4	Single Family Residential
SOUTH:	R-4, Residential Detached House 4	Single Family Residential
EAST:	Village of Westmont, Single Family	Village of Westmont, Single Family
WEST:	R-4, Residential Detached House 4	Single Family Residential

ANALYSIS**SUBMITTALS**

This report is based on the following documents, which are on file with the Department of Community Development and attached to the report as noted:

1. Application/Petition for Public Hearing
2. Location Map
3. Project Narrative
4. Plat of Survey
5. Site Plan

6. Architectural Plans

PROJECT DESCRIPTION

The petitioner is proposing to construct a new single family house with an attached in-law suite to create an Extended Family Accessory Housing unit at 4617 Roslyn Road. The subject property is zoned R-4, Residential Detached House 4, and is located on the east side of Roslyn Road, approximately 500 feet north of Chicago Avenue. Extended Family Accessory Housing is an allowable Special Use in the R-4 zoning district per Section 6.010.F of the Zoning Ordinance.

The proposed accessory unit will have its own separate entrance on the north side of the house, which will not face the street. The unit consists of a living room, dining room, kitchen, bedroom, and one-car garage. The unit will also be connected to the primary unit via the garage. The proposed structure will have the overall appearance of a detached house. Conversion plans have also been submitted should the approval conditions of special use permit lapse.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

According to the Future Land Use Plan, the subject property is designated as Single Family Residential and has a corresponding zoning designation. The Comprehensive Plan calls for a variety of housing and dwelling unit types and recommends providing housing that meets the needs of senior citizens to allow residents to age in place. The proposal will create an Extended Family Accessory Housing unit that provides a mutualistic living arrangement for the petitioner's mother and allows the petitioner to care for his mother as she ages. Because this property will retain the look of a detached house, there will be no impact on the existing single family neighborhood character. The proposal is consistent with the intent of the Future Land Use Plan and will not diminish the use of the surrounding properties.

COMPLIANCE WITH ZONING ORDINANCE

The property is zoned R-4, Residential Detached House 4. An Extended Family Accessory Housing unit is an allowable Special Use in the R-4 district. The proposed plans meet the zoning requirements and the requirements for an Extended Family Accessory Housing unit. The table below summarizes compliance with Section 6.010.F of the Zoning Ordinance:

Zoning Requirements	Proposed
1. Extended Family Accessory Housing is allowed in R-1, R-2, R-3 and R-4 zoning districts, per the Special Use provisions.	The subject property is zoned R-4.
2. The accessory unit is entirely within the dwelling.	The accessory unit is within the primary dwelling's structure.
3a. Only one accessory unit in any detached house.	Only one accessory unit is proposed.
3b. A separate exterior entrance, if provided, cannot face the street.	The separate entrance is on the north (side) façade and does not face the street.
3c. One dwelling unit has to be occupied by an owner of the property.	The primary dwelling unit is occupied by owner of the property.
3d. The occupant(s) of either dwelling unit is 62 years of age or older and related.	The accessory unit is to be occupied by the mother of one of the property owners, who meets the age requirement.
3e. No additional roomers or boarders are allowed.	The petitioners will occupy the primary residence and no additional roomers or boarders will be housed at this location.

Zoning Requirements	Proposed
3f. The appearance of a detached house must be retained. Occupancy of the accessory unit is subject to an approved floor plan.	The petitioner is proposing a new home that will retain the look of a detached single family structure. The floor plan accompanying this petition shall be the accepted floor plan except as such plans may be modified to conform to Village Codes and Ordinances.
3g. The property owners shall permit an annual inspection and provide certification of continued compliance with the regulations.	The petitioner has agreed to these provisions.
3h. The Special Use approval lapses if the owner occupying one of the units transfers ownership or ceases to occupy one of the units.	The petitioner has provided a conversion plan at such time the Special Use approval lapses.
3i. The accessory unit shall be converted within 120 days of the expiration of the Special Use.	The petitioner has provided conversion drawings.

NEIGHBORHOOD COMMENT

Notice was provided to all property owners within 250 feet of the subject property in addition to posting the public hearing notice sign and publishing legal notice in the *Downers Grove Suburban Life*. Staff spoke to three neighbors inquiring about the petition. Upon hearing the content of the request, no concerns were expressed.

FINDINGS OF FACT

The petitioner is requesting a Special Use to construct an Extended Family Accessory Housing unit. Staff finds the proposal meets the criteria for granting a Special Use as outlined below:

Section 28.12.050.H Approval Criteria

No special use may be recommended for approval or approved unless the respective review or decision-making body determines that the proposed special use is constituent with and in substantial compliance with all Village Council policies and plans and that the applicant has presented evidence to support each of the following conclusions:

1. *That the proposed use is expressly authorized as a Special Use in the district in which it is to be located;*
The property is located in the R-4, Residential Detached House 4, zoning district. Per Section 6.010.F of the Zoning Ordinance, Extended Family Accessory Housing is listed as an allowable Special Use in the R-4 zoning district.
2. *That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.*
The proposed Extended Family Accessory Housing is desirable within single family residential neighborhoods and will contribute to the general welfare of the community. It provides flexibility in housing options to care for seniors as they age and allows long-time residents to stay in Downers Grove. Additionally, the structure will retain the appearance of a detached single family home, ensuring the continued character of the existing single family neighborhood.

16-PLC-0012; 4617 Roslyn Road
March 7, 2016

Page 4

3. *That the proposed use will not, in the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.*

The proposed Extended Family Accessory Housing unit will not be detrimental to the health, safety or general welfare of persons residing in or working in the vicinity and will not be injurious to property values or improvements in the vicinity. Property values will not be negatively impacted as the Special Use approval requires the conversion of the accessory housing unit back to a single family dwelling unit within 120 days of the lapse of approval.

RECOMMENDATION

The proposed special use for an Extended Family Accessory Housing unit at 4617 Roslyn Road is consistent with the Comprehensive Plan, the Zoning Ordinance and surrounding zoning and land use classifications. Based on the findings listed above, staff recommends the Plan Commission forward a positive recommendation to the Village Council regarding the requested special use subject to the following conditions:

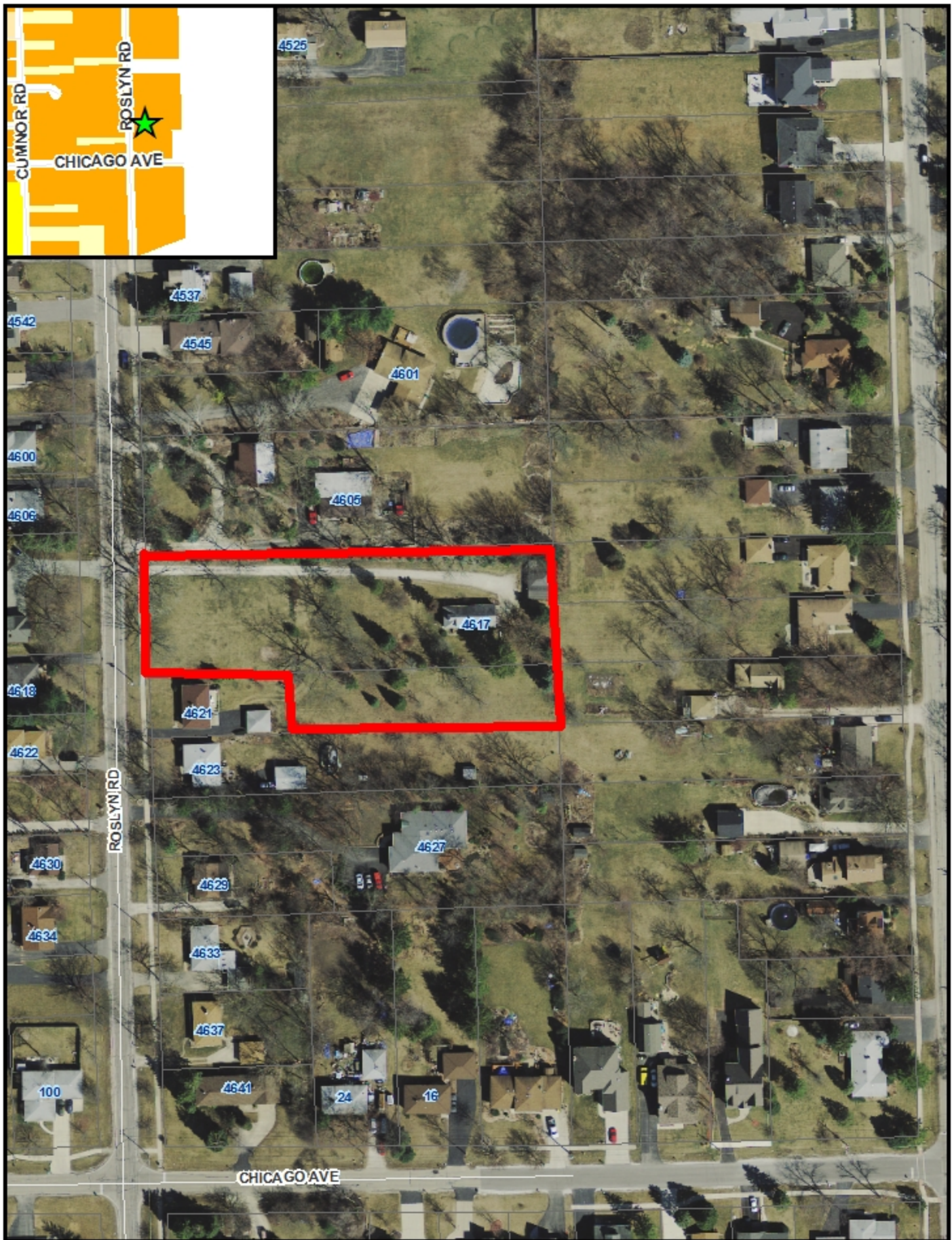
1. The proposed extended family accessory housing unit shall substantially conform to the staff report dated March 7, 2016 and architectural plans prepared by Lucchese & Associates, Ltd, dated January 18, 2016, except as such plans may be modified to conform to the Village codes and ordinances.
2. The petitioner shall permit the Village to complete an annual inspection of the premises to assure continuing compliance with Extended Family Accessory Housing regulations.
3. The petitioner shall annually submit to the Village a sworn affidavit that certifies continued compliance with Extended Family Accessory Housing regulations.
4. The accessory unit shall be converted to be a part of the existing single family dwelling unit within 120 days of the lapse of the Special Use approval.

Staff Report Approved By:



Stanley J. Popovich, AICP
Director of Community Development

SP:sw
-att



4617 Roslyn Rd. - Location Map



Benjamin W. Tull
214 North Lincoln St.
Westmont, Illinois 60559

January 29, 2016

Via Hand Delivery

Village of Downers Grove
Department of Community Development
801 Burlington Avenue
Downers Grove, Illinois 60515

**Re: Petition for Lot Consolidation/Reconfiguration and for Special Use Permit
In Relation to Properties Located at 4617 and 4621 Roslyn Road**

Dear Sirs,

The Petitioners, Angelica and Mark Speyer (the "Speyers"), respectfully request that the Village of Downers Grove (the "Village") grant their application for a special use permit in relation to, and for the reconfiguration and consolidation of, two adjoining lots located at 4617 and 4621 Roslyn Road, Downers Grove (the "Roslyn Properties"). The Speyers are the owners of record for both of the Roslyn Properties.

The purpose of this application is to allow the Speyers to construct a family home for their family and for Mark Speyer's mother, Ana Speyer ("Ana"). Ana is 71 years of age and is a longtime resident of the Village. Ana Speyer, her son Mark Speyer, and her daughter-in-law Angelica Speyer, and their two children currently reside in a home located at 3931 Longmeadow Road, Downers Grove. This home is insufficient for the Speyer family's needs, and the Speyers wish to construct a new, larger home on the Roslyn Properties. This home will provide an extended family accessory housing unit (i.e. an in-law suite) for Ana which will allow her to continue living with, and receiving support from, her son's family as she ages, while also providing both Ana and the Speyers with additional privacy that --is lacking in their current home.

The proposed extended family accessory housing unit meets all requirements for a special use under Section 12.050 of the Downers Grove Zoning Ordinance. Specifically, the proposed unit will meet all the criteria listed in Section 6.010(F). As to the first criterion, the Roslyn Properties are located in an area zoned R-4, and thus an extended family accessory unit is permissible. Furthermore, as can be seen in the submitted plans, the proposed unit will be attached to the main house, and, while it will have a separate entrance from the main house, this entrance will not be visible from the street. As to the third requirement under Section 6.010(F), the main house will be inhabited by the Speyers -- the legal owners of the Roslyn Properties -- and thus this requirement will be satisfied. In addition, the Speyers are related by blood and/or marriage to Ana Speyer, and Ana's age is greater than the minimum age of 62 years required under the regulations. Fourth, the proposed structure retains the appearance of a detached home, as can be seen from the architectural renderings submitted herewith. Finally, the petitioners have submitted plans showing the manner in which the in-law suite could be de-converted in the event that the special use permit lapses, and they will agree to permit such inspections of the Properties as may be required by the Village (upon reasonable notice) in order to ensure compliance with all special use regulations.

It is important to note that, in addition to the special use permit, the proposed structure requires the reconfiguration of the two lots that comprise the Roslyn Properties. Both of the Roslyn lots are comparatively deep lots, and the existing home located at 4621 Roslyn Road is closer to the road than the home built on 4617 Roslyn. Thus, it appears that the existing 4617 Roslyn home is behind the 4621 Roslyn house. The Speyers plan to demolish the structure located on the 4617 Roslyn parcel, while leaving the home located at 4621 Roslyn intact, and ask that the Village permit them to reconfigure the lots so that part of the back yard for the 4621 Roslyn property is sliced off and added to the 4617 Roslyn parcel – in effect creating an “L” shaped property. This additional land will allow the Speyers to build a wider structure than could otherwise be constructed on the property, and is necessary to accommodate the additional square footage required to include the extended family accessory housing unit.

Thank you for your time and consideration. Should you have any questions, please give me a call at (847) 220-2605.

Best Regards,



Benjamin W. Tull
Attorney for Petitioners

PRELIMINARY PLAT OF SUBDIVISION

SHEET 1 OF 1

SPEYER'S GROVE RESUBDIVISION

OF
PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 11
EAST OF THE THIRD PRINCIPAL MERIDIAN.

TO CONSOLIDATE LOTS

COMMONLY KNOWN AS:
4617 & 4621 ROSLYN ROAD
DOWNERS GROVE, ILLINOIS

EASEMENT PROVISIONS

AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND COMMUNICATION SERVICES IS HEREBY RESERVED FOR AND GRANTED TO:

COMMONWEALTH EDISON COMPANY
AND
AT&T TELEHOLDINGS INCORPORATED GRANTEES,

THEIR RESPECTIVE LICENSEE, SUCCESSORS AND ASSIGNS JOINTLY AND SEVERALLY, TO CONSTRUCT, OPERATE, REPAIR, MAINTAIN, MODIFY, RECONSTRUCT, REPLACE, SUPPLEMENT, RELOCATE AND REMOVE FROM TIME TO TIME, POLES, SUPPORTS, CROSS-ARMS, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, FEDESTALS, EQUIPMENT CABINETS OR OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, COMMUNICATIONS, SIGNALS 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 RESTRICTIVE COVENANTS ON THE PLAT AS "COMMON ELEMENTS", AND THE PROPERTY DESIGNATED ON THE PLAT AS "COMMON AREA OR AREAS", AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONDUITS 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 OR UNDER THE FACILITIES OR UPON OR OVER THE PROPERTY 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) 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 0/62, 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 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 STRUCTURE OR STRUCTURES SUCH AS A POOL, RETENTION POND OR MECHANICAL EQUIPMENT.

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

DECLARATION OF RESTRICTIVE COVENANTS

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

- (A) ALL PUBLIC UTILITY STRUCTURES AND FACILITIES, WHETHER LOCATED ON PUBLIC OR PRIVATE PROPERTY, SHALL BE CONSTRUCTED WHOLLY UNDERGROUND, EXCEPT FOR TRANSFORMERS, TRANSFORMER BAYS, LIGHT POLES, REGULATORS, VALVES, MANNERS AND SIMILAR STRUCTURES APPROVED BY THE VILLAGE BOARD OF THE VILLAGE OF DOWNERS GROVE PRIOR TO RECORDING OF THIS PLAT OF SUBDIVISION.
- (B) AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH STORM DRAINAGE, SANITARY SEWER, STREET LIGHTING, PORTABLE WATER SERVICE AND OTHER PUBLIC UTILITY SERVICES, IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF DOWNERS GROVE AND DOWNERS GROVE SANITARY DISTRICT. THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, TO INSTALL, OPERATE AND MAINTAIN AND REMOVE FROM TIME TO TIME, FACILITIES IN CONNECTION WITH THE PUBLIC WATER SUPPLY, TRANSMISSION LINES, SANITARY SEWERS, STORM DRAINAGE SYSTEM, STREET LIGHTING SYSTEM OR OTHER PUBLIC UTILITY SERVICE, AND THEIR APURTENANCES, EITHER ON OVER, ACROSS, BELOW OR THROUGH THE GROUND SHOWN WITHIN THE DOTTED LINES ON THE PLAT MARKED "PUBLIC UTILITY" AND OR DRAINAGE EASEMENT, OR SIMILAR LANGUAGE DESIGNATING A STORMWATER OR SEWER EASEMENT, AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, TOGETHER WITH THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, ON 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 BE FOR THE BENEFIT OF EACH AND ALL OF THE PURCHASERS OF SUCH LOTS WHETHER THEY SHALL BE BECAME SUCH BEFORE OR AFTER THE DATE THEREOF, AND THEIR RESPECTIVE HEIRS AND ASSIGNS, AND

WHEREAS, THE AFORESAID PROPERTY DESCRIBED ON THE ATTACHED PLAT IS LOCATED ENTIRELY WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, AND

WHEREAS, ALL OF THE PROVISIONS, RESTRICTIONS, CONDITIONS, COVENANTS, AGREEMENTS, AND CHARGES HEREIN CONTAINED SHALL RUN WITH AND BIND ALL OF SAID LOTS AND LAND AND SHALL BE FOR THE BENEFIT OF AND BE ENFORCEABLE BY THE VILLAGE OF DOWNERS GROVE, ILLINOIS, AND THE OWNERS OR OWNER OF ANY OF THE LOTS AND LANDS COMPREHENDED WITHIN SAID PLAT, AND THEIR RESPECTIVE HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS.

NOW, THEREFORE, ALL PERSONS, FIRMS OR CORPORATIONS NOW OWNING THE AFORESAID PROPERTY DO COVENANT AND AGREE THAT THEY OR ANY PERSON, FIRM OR CORPORATION HEREAFTER ACQUIRING ANY PROPERTY OR LOTS SHOWN UPON THE ATTACHED PLAT OF SUBDIVISION ARE HEREBY SUBJECT TO THE FOLLOWING RESTRICTIONS RUNNING WITH SAID PROPERTY BY WHOMEVER 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 MANNER AS TO INSURE THE FREE AND UNINTERRUPTED FLOW OF STORM WATER THROUGH THE DRAINAGE SYSTEM OF THE SUBDIVISION, AND SHALL NOT DEPOSIT OR PILE GRADES OR SLOPES 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 UPON THE STORMWATER EASEMENT, INCLUDING DETENTION OR RETENTION AREAS, REASONABLY NECESSARY TO INSURE ADEQUATE STORM WATER STORAGE AND FREE FLOW OF STORM WATER 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 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 WORK WITHIN SIXTY DAYS OF COMPLETION OF THE WORK, CONSTITUTE A LIEN AGAINST HIS LOT WHICH MAY BE FORECLOSED BY AN ACTION BROUGHT BY OR ON BEHALF OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS.

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 EFFECT AND OBLIGATION IN RESPECT TO THE SAID PREMISES AND THE PARTIES HEREBY DESIGNATED, THEIR AND EACH OF THEIR SUCCESSORS, HEIRS, AND ASSIGNS.

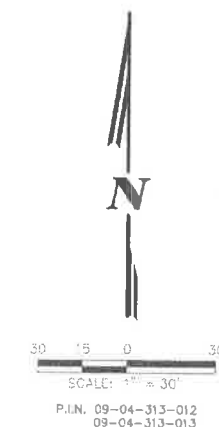
IN WITNESS WHEREOF, THE OWNERS HAVE SET THEIR HANDS UPON THE ATTACHED PLAT THE DAY AND DATE FIRST WRITTEN HEREOF.

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

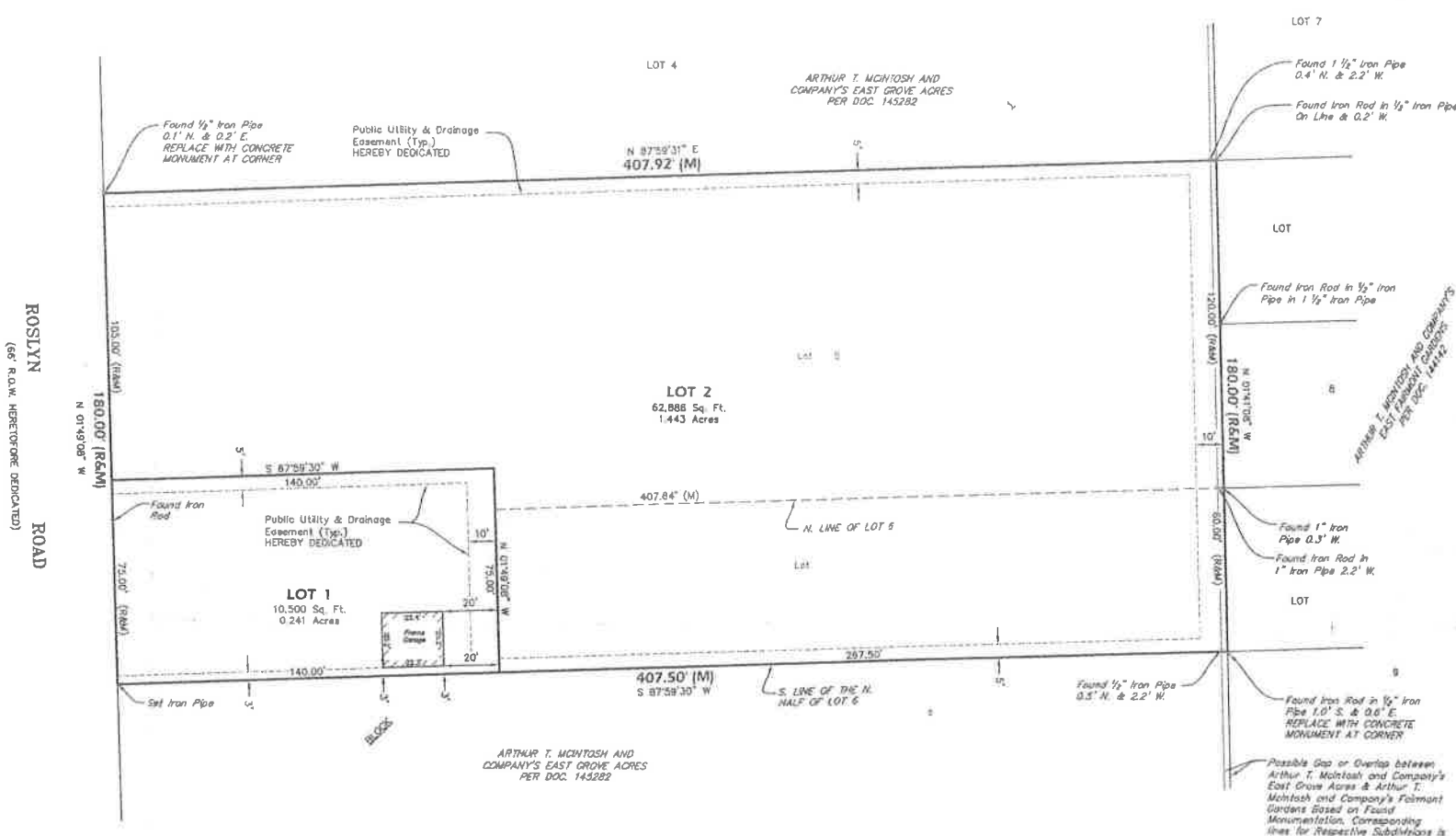
OWNER

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____



P.L.N. 09-04-313-012
09-04-313-013



SANITARY DISTRICT CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS
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.
DATED THIS _____ DAY OF _____, A.D. 20____

VILLAGE COLLECTOR'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS
I, _____ COLLECTOR OF THE VILLAGE OF DOWNERS GROVE, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE NOT BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT.
DATED THIS _____ DAY OF _____, A.D. 20____

OWNER'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS
I, _____ INDIVIDUALS, HEREBY CERTIFY THAT THEY ARE THE OWNERS (OR OWNERS) OF THE ABOVE DESCRIBED PROPERTY AND THEY HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE PLAT HEREON DRAWN.
DATED THIS _____ DAY OF _____, A.D. 20____
OWNER: _____
ADDRESS: _____
OWNER: _____
ADDRESS: _____

NOTARY CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS
I HEREBY CERTIFY THAT THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE ARE KNOWN TO ME AS SUCH OWNERS.
GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, A.D. 20____

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS
THIS IS TO CERTIFY THAT I, JEFFREY R. PANKOW, ILLINOIS PROFESSIONAL LAND SURVEYOR #5483 HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY AS SHOWN BY THIS PLAT, WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION. ALL DIMENSIONS ARE IN FEET OR DECIMALS THEREOF.
LOT 5 AND THE NORTH HALF OF LOT 6 IN BLOCK 1, IN ARTHUR T. MCINTOSH AND COMPANY'S EAST GROVE ACRES, BEING A SUBDIVISION OF THE EAST 1317.36 FEET OF THE SOUTH 1017.72 FEET OF THE SOUTHWEST QUARTER OF SECTION 4, ALSO THE EAST 131.78 FEET OF THAT PART OF SECTION 9, LYING NORTH OF THE CENTER LINE OF THE PUBLIC HIGHWAY KNOWN AS WAPPELLE ROAD, ALL IN TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS.
DATED THIS 17TH DAY OF JULY, A.D. 2015.

ILLINOIS PROFESSIONAL LAND SURVEYOR #5483
LICENSE EXPIRATION/RENEWAL DATE: NOVEMBER 30, 2019

SURVEYOR'S NOTES:
IRON PIPES OR SURVEYOR'S NAILS ARE SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.
ALL MEASUREMENTS AND DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
ALL EASEMENTS ARE HERETOFORE DEDICATED UNLESS OTHERWISE NOTED.
ALL EASEMENTS DEPICTED ON THE PLAT MAP ARE FOR PUBLIC UTILITIES UNLESS OTHERWISE NOTED.
BERNARD'S SHOWN HEREON ARE BASED UPON THE ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE.

AREA OF SURVEY:
CONTAINING 73,388 SQ. FT. = 1.688 ACRES

PROFESSIONAL LAND SURVEYOR, INC.
PROFESSIONAL DESIGNER NO. 184-004706

SCHOOL DISTRICT BOUNDARY STATEMENT

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS
THE UNDERSIGNED DO HEREBY CERTIFY THAT, AS OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND KNOWING AS KNOWLEDGE, IS LOCATED WITHIN THE BOUNDARIES OF THE _____ HIGH SCHOOL DISTRICT, AND _____ ELEMENTARY SCHOOL DISTRICT IN DU PAGE COUNTY, ILLINOIS.

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

DUPAGE COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS
I, _____ COUNTY CLERK OF DU PAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THIS PLAT.

I, FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THIS PLAT.
GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK OF DU PAGE COUNTY, ILLINOIS,
THIS _____ DAY OF _____, A.D. 20____

COUNTY CLERK

DUPAGE COUNTY RECORDERS CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS
THIS PLAT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DU PAGE COUNTY, ILLINOIS,

ON THE _____ DAY OF _____, A.D. 20____

AT _____ O'CLOCK _____ M. AS DOCUMENT NUMBER _____

RECORDER OF DEEDS

VILLAGE OF DOWNERS GROVE DIRECTOR OF COMMUNITY DEVELOPMENT

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS
APPROVED BY THE VILLAGE OF DOWNERS GROVE DIRECTOR OF COMMUNITY DEVELOPMENT
THIS _____ DAY OF _____, A.D. 20____

DIRECTOR OF COMMUNITY DEVELOPMENT

DRAINAGE CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS
I, _____ THE OWNER OF THE LAND DEPICTED HEREON OR MY DULY AUTHORIZED ATTORNEY, DO HEREBY STATE, THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, REASONABLE PROVISIONS HAVE BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS AND PUBLIC AREAS, OR DRAINAGE WHICH THE SUBDIVISION HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLACED IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJACENT 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

STATE REGISTRATION NUMBER _____

REGISTRATION EXPIRATION DATE _____

PROPERTY OWNERS SIGNATURES

BY: _____ OWNER OR ATTORNEY BY: _____ OWNER OR ATTORNEY

PRINT NAME PRINT NAME



East Elevation Scale: 1/4" = 1'-0"



North Elevation Scale: 1/4" = 1'-0"

Arris File: FL-431-15

Speyer Residence
 4617 Roslyn Road
 Downers Grove, Illinois

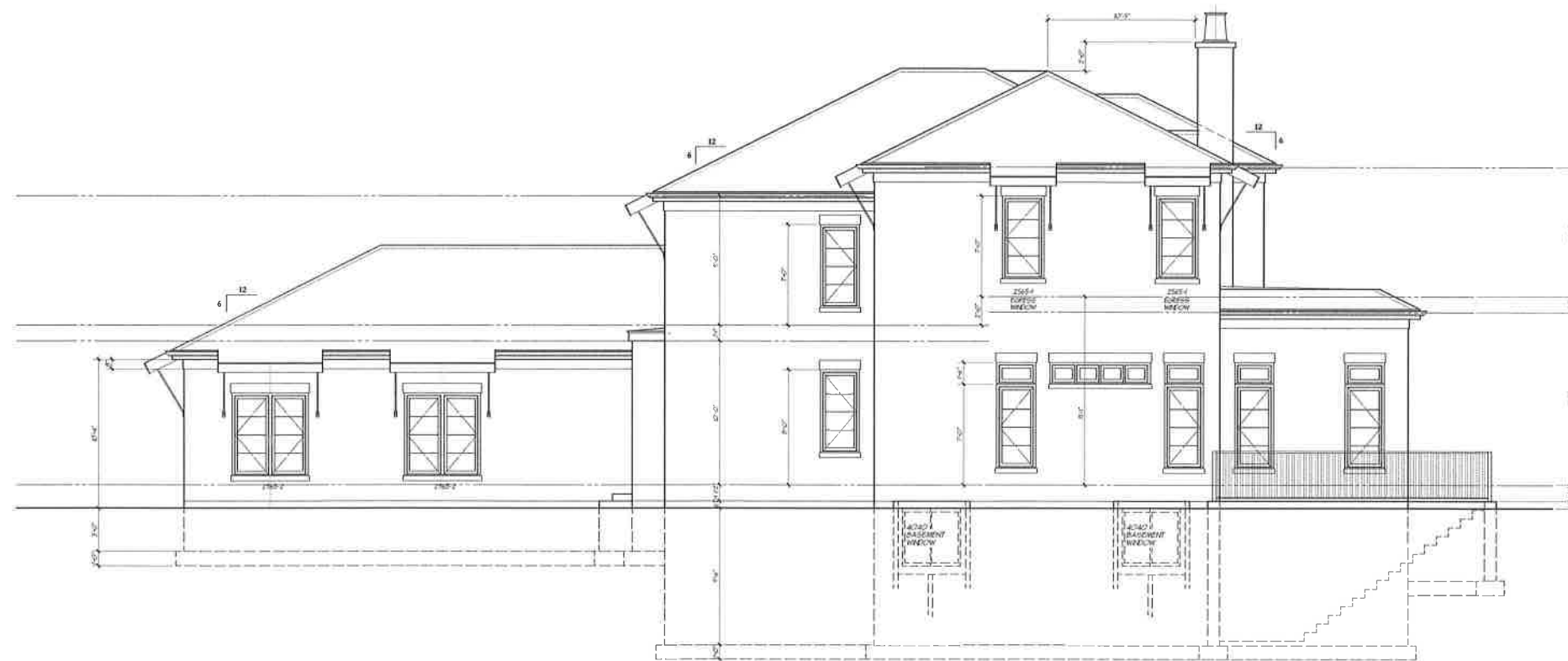
NO.	DATE	BY	REVISION
1			INITIAL DESIGN & DEVELOPMENT
2			
3			
4			

Lucchese & Associates, Ltd.
 ARCHITECTS & INTERIORS DESIGNERS
 5112 N. PARK SQUARE
 CHICAGO, ILLINOIS 60630-4331-0446



West Elevation

Scale: 1/4" = 1'-0"



South Elevation

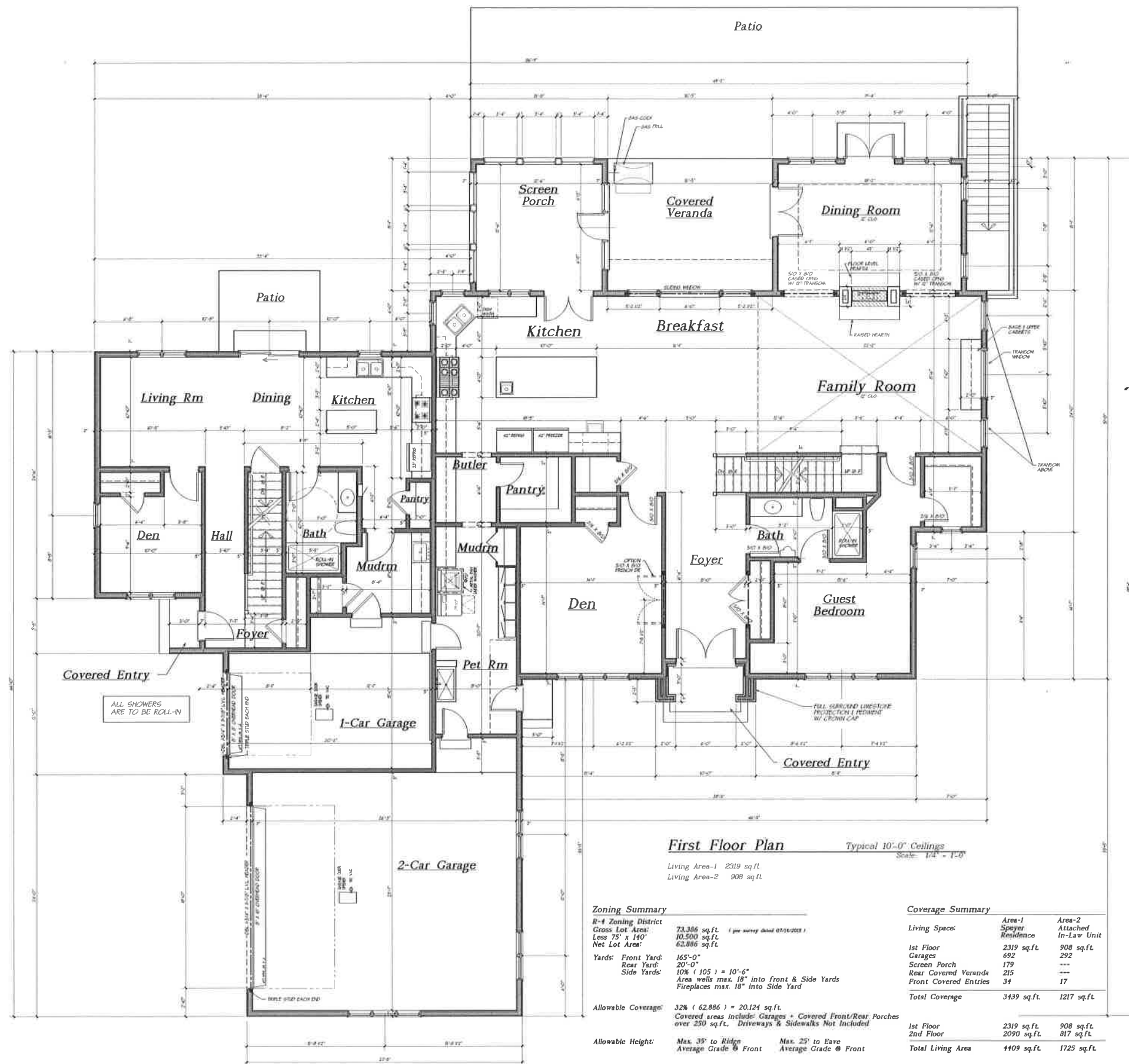
Scale: 1/4" = 1'-0"

Arris File: FL-431-15

Speyer Residence
4617 Roslyn Road
Downers Grove, Illinois

NO.	DATE	ISSUE
1		CONTRACT DOCUMENTS
2		REVISIONS
3		
4		

Lucchese & Associates, Ltd.
512 W. VAN BUREN
CHICAGO, ILLINOIS 60607
312.327.8888



First Floor Plan Typical 10'-0" Ceilings
Scale: 1/4" = 1'-0"

Living Area-1 2319 sq.ft.
Living Area-2 908 sq.ft.

Zoning Summary

R-4 Zoning District
 Gross Lot Area: 73,386 sq.ft. (per survey dated 07/16/2008)
 Less 75' x 140'
 Net Lot Area: 62,886 sq.ft.

Yards: Front Yard: 165'-0"
 Rear Yard: 20'-0"
 Side Yards: 10% (105') = 10'-6"
 Area wells max. 18" into front & side yards
 Fireplaces max. 18" into side yard

Allowable Coverage: 32% (62,886) = 20,124 sq.ft.
 Covered areas include: Garages + Covered Front/Rear Porches over 250 sq.ft. Driveways & Sidewalks Not Included

Allowable Height: Max. 35' to Ridge
 Average Grade @ Front Max. 25' to Eave
 Average Grade @ Front

Coverage Summary

Living Space:	Area-1 Speyer Residence	Area-2 Attached In-Law Unit
1st Floor	2319 sq.ft.	908 sq.ft.
Garages	692	292
Screen Porch	179	---
Rear Covered Veranda	215	---
Front Covered Entries	34	17
Total Coverage	3439 sq.ft.	1217 sq.ft.

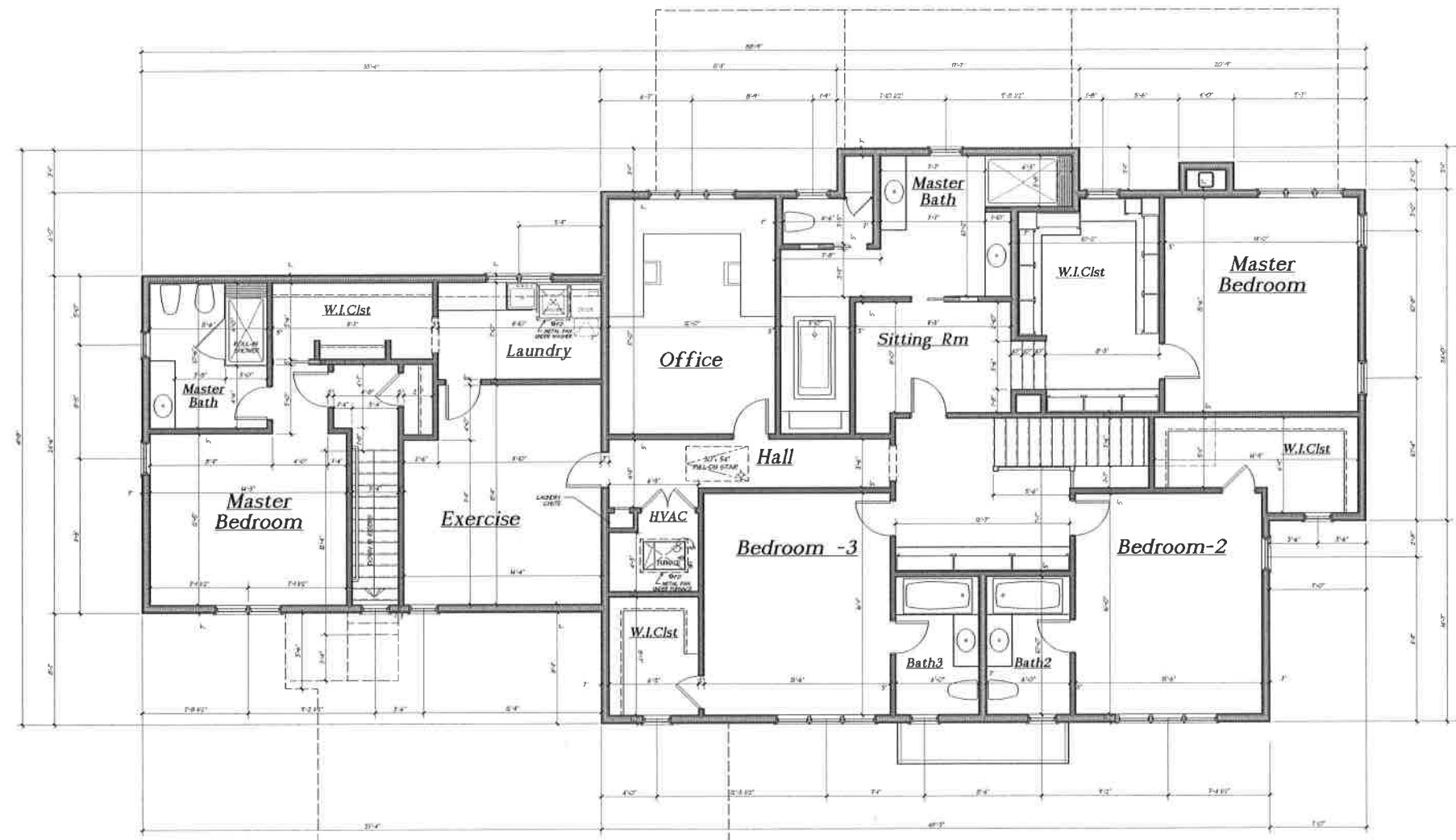
1st Floor	2319 sq.ft.	908 sq.ft.
2nd Floor	2090 sq.ft.	817 sq.ft.
Total Living Area	4409 sq.ft.	1725 sq.ft.

Arria File: FL-431-15

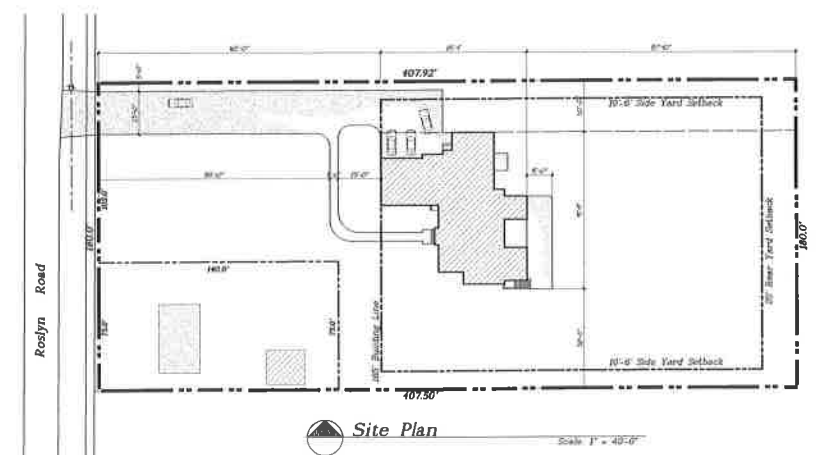
Speyer Residence
 4617 Beekyn Road
 Downers Grove - Illinois

Date	Issue
1.27.16	DESIGN DEVELOPMENT
2.11.16	
3.1.16	

Lucchese & Associates, Ltd.
 512 W. VAN BUREN CHICAGO, ILLINOIS 60606
 312-423-8488



Second Floor Plan Typical 9'-0" Ceilings
 Scale: 1/4" = 1'-0"
 Living Area-1 2090 sq.ft.
 Living Area-2 817 sq.ft. includes Exercise Room



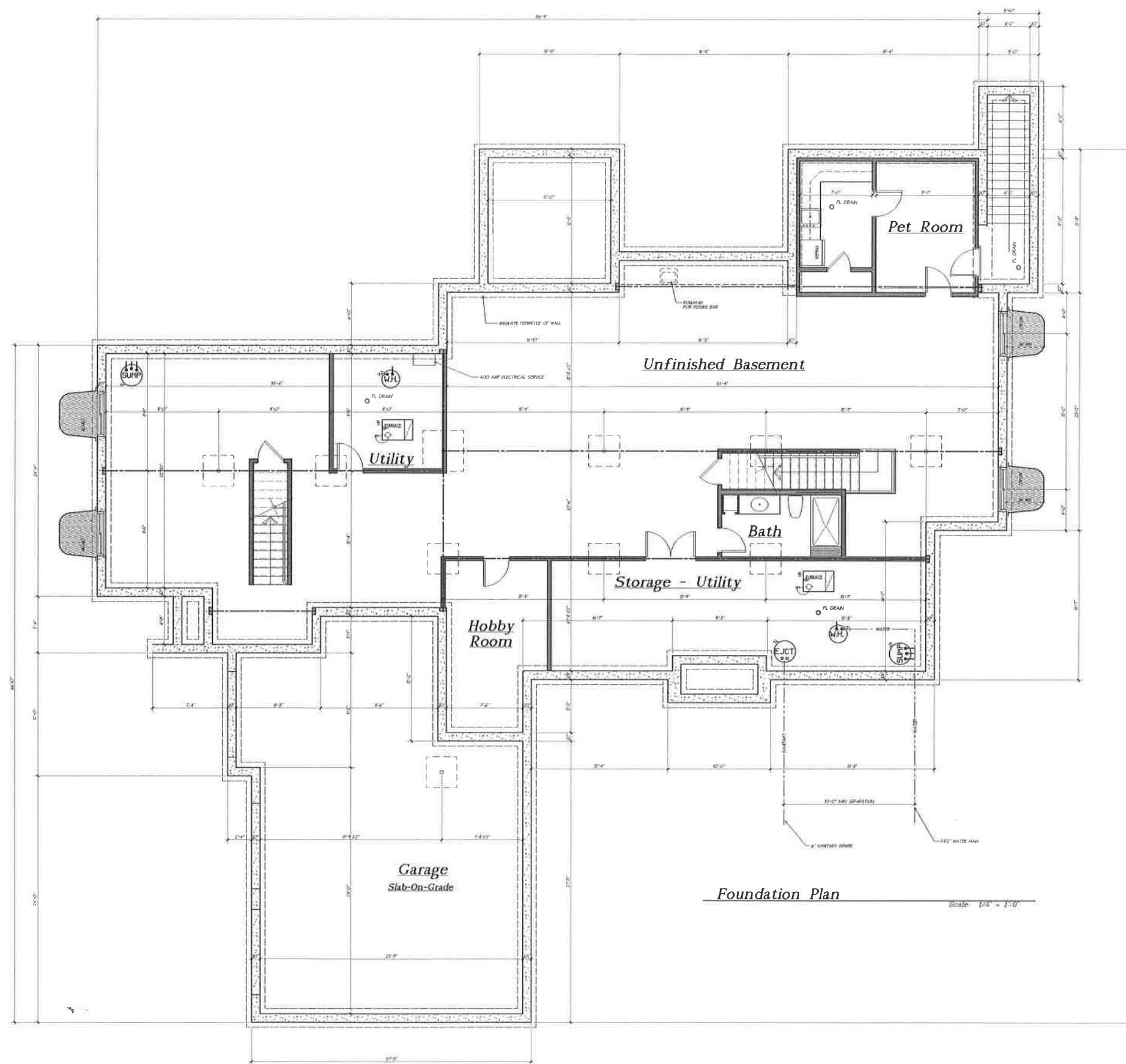
Site Plan
 Scale: 1" = 40'-0"

Arris File: FL-431-15

Speyer Residence
 4617 Roslyn Road
 Downers Grove - Illinois

NO.	DATE	DESCRIPTION
1		ISSUED FOR PERMITS
2		
3		

Lucchese & Associates, Ltd.
 512 W. VAN BUREN
 CHICAGO, ILLINOIS 60607
 (312) 462-8400

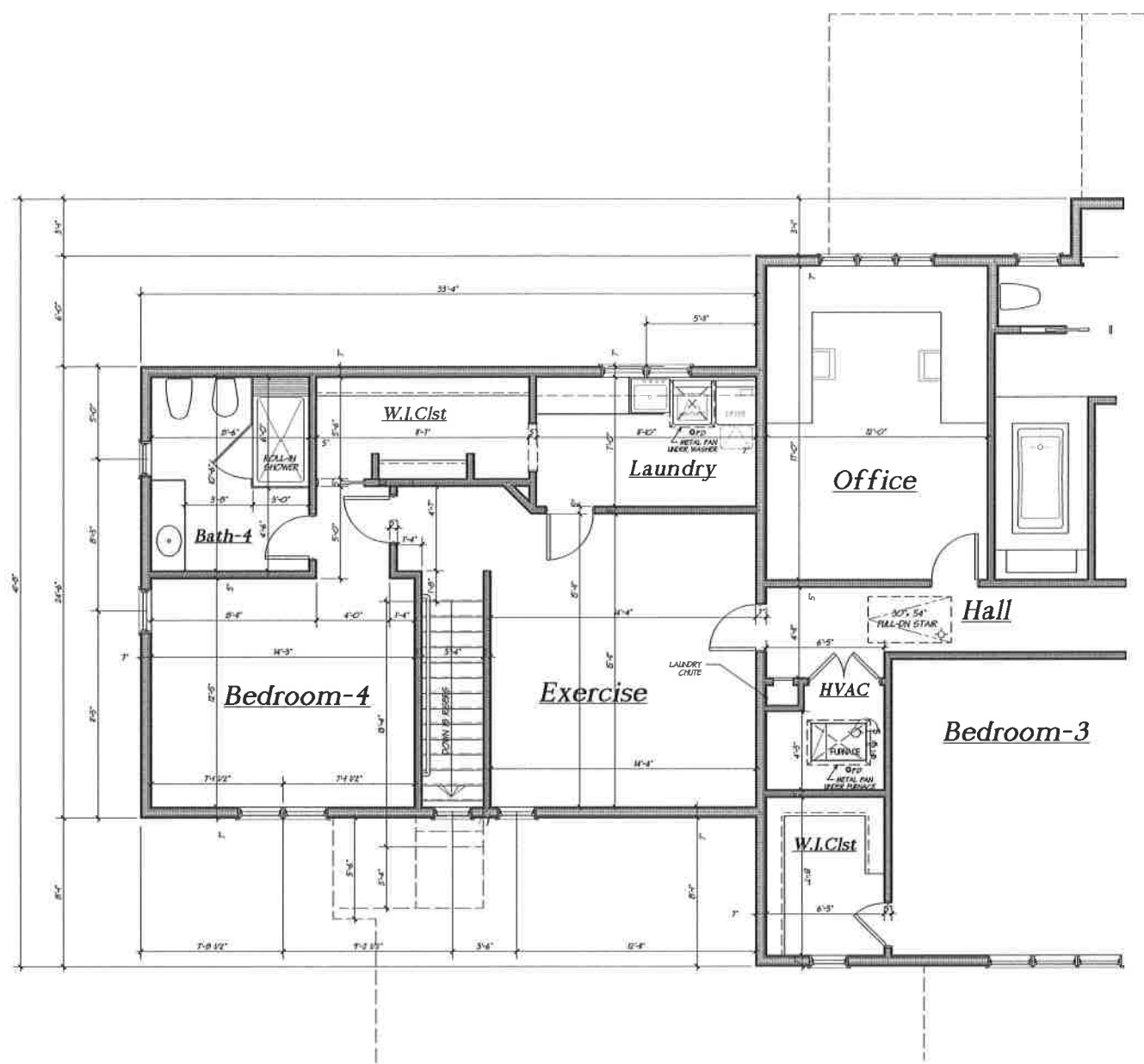


Arria File: FL-431-15

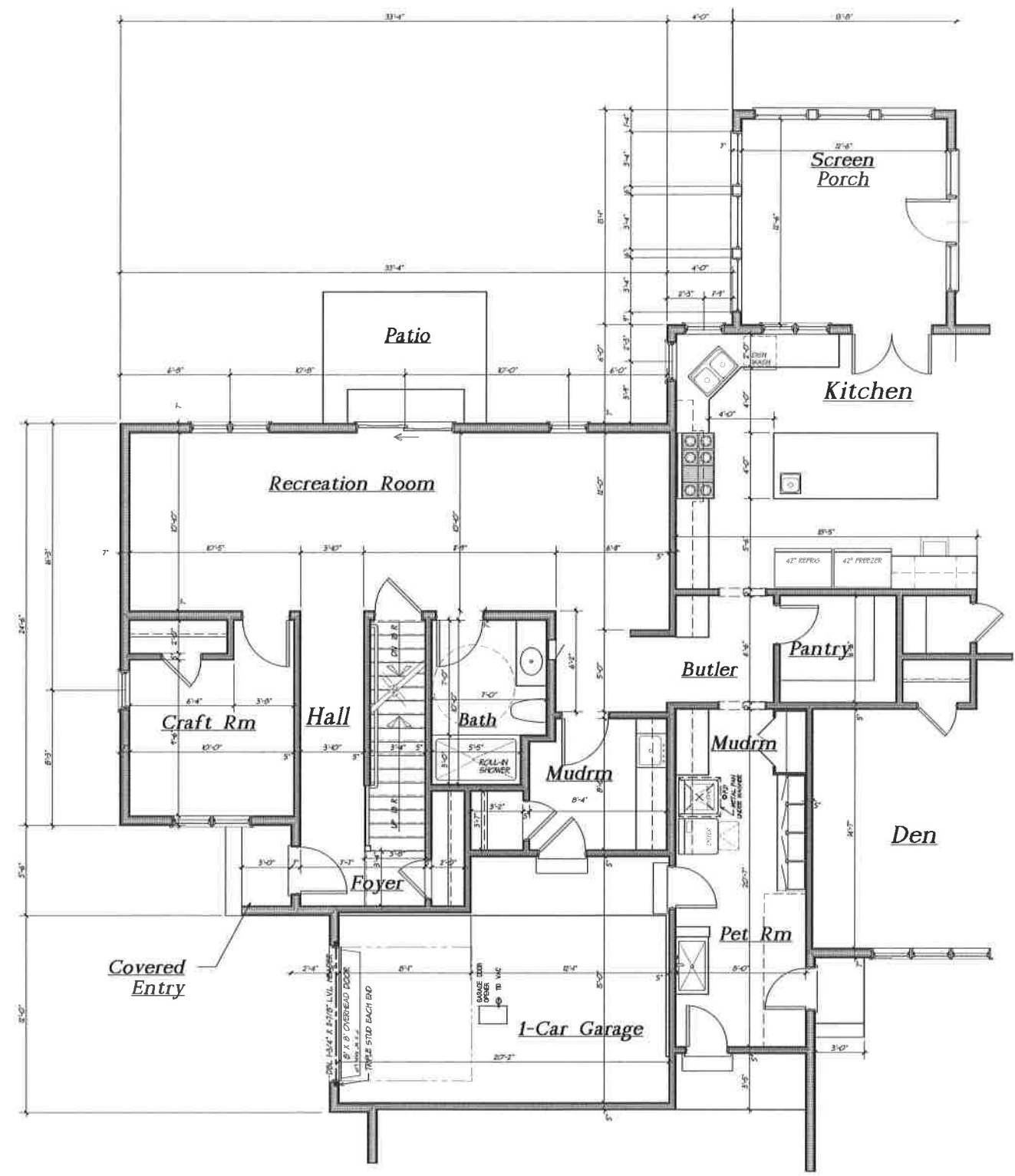
Speyer Residence
4617 Roslyn Road
Downers Grove - Illinois

NO.	DATE	DESCRIPTION
1		FOUNDATION DEVELOPMENT
2		
3		

Lucchese & Associates, Ltd.
512 W. VAN BUREN ST. CHICAGO, ILLINOIS 60607
630-432-0445



Second Floor Deconversion Plan
 Scale: 1/4" = 1'-0"



First Floor Deconversion Plan
 Scale: 1/4" = 1'-0"

Arriis File: FL-431-15

Speyer Residence
 4617 Roslyn Road
 Downers Grove, Illinois

No.	Date	Issue
1.	01/19/16	DESIGN & DEVELOPMENT
2.		
3.		

Lucchese & Associates, Ltd.
 512 W. Van Buren
 Elmhurst, Illinois 60126
 (630) 833-0488

DRAFT

FILE 16-PLC-0012 - A petition seeking approval of a Special Use to permit extended family accessory housing. The property is zoned R-4, Residential Detached House 4. The property is located on the east side of Roslyn Road, approximately 500 feet north of Chicago Avenue, commonly known as 4617 Roslyn Road, Downers Grove, IL (09-04-313-012, -013). Ben Tull, Attorney, and Angelica and Mark Speyer, Owners.

Planner Williams drew commissioners' attention to the overhead and Staff Report and reviewed the request to construct an Extended Family Accessory Housing Unit. Details followed. Site, floor and elevations plans were presented showing the configuration of the accessory unit. Planner Williams elaborated on the special use criteria and how they were met by applicant. He also stated the comprehensive plan advocates for a variety of housing to meet the needs of seniors.

Comments/questions from the commissioners followed, Mr. Quirk asked how does the village define a dwelling unit and enforce compliance. Planners Leitschuh and Williams replied that an affidavit has to be filed on an annual basis. The criteria states that in addition to the occupant being a relative, they have to be 62 years of age or older or have a physical/developmental disability. Ms. Gassen sought clarification on the conversion process. Discussion ensued over enforcement and if certain situations qualified as extended family accessory housing.

Attorney for the Petitioner, Mr. Ben Tull, stated that the family are long-term residents and wish to stay in Downers Grove together. When asked by Mr. Quirk about a change in home ownership, he responded that the requirements of the special use should be conveyed to potential buyers.

No further questions followed. The chairman opened up the meeting to public comment. Two comments were made.

Shawn Flemming, 4634 Roslyn Road, asked about whether a conversion plan was in place, and the details of that process. Planners Leitschuh and Williams replied that if the special use lapsed, then the presented conversion plan would have to be enacted within 120 days.

Phil Gardner, 4621 Roslyn Road, expressed support for the proposal.

Hearing no further comment, public comment was closed. Mr. Tull had no closing statement.

For the record, Mr. Thoman stated he believed the standards for approval of the rezoning were met; other commissioners concurred.

WITH RESPECT TO FILE 16-PLC-0012 MR. THOMAN MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, AS PRESENTED.

SECONDED BY MS. HOGSTROM. ROLL CALL:

AYE: MR. THOMAN, MS. HOGSTROM, CHAIRMAN RICKARD, MR. QUIRK, MS. GASSEN, MR. CRONIN, MS. JOHNSON
NAY: NONE

MOTION CARRIED. VOTE: 7-0