

VILLAGE OF DOWNERS GROVE
Report for the Village
5/1/2018

SUBJECT:	SUBMITTED BY:
6140 Boundary Road - Voluntary Annexation and Rezoning	Stan Popovich, AICP Director of Community Development

SYNOPSIS

An ordinance has been prepared for the annexation of 6140 Boundary Road. An ordinance has been prepared to rezone the property from R-1, Residential Detached House 1, to R-3, Residential Detached House 3.

STRATEGIC PLAN ALIGNMENT

The goals for 2017-2019 include *Strong and Diverse Local Economy*.

FISCAL IMPACT

N/A

UPDATE & RECOMMENDATION

This item was discussed at the April 3, 2018 Village Council meeting. Staff recommends approval on the May 1, 2018 active agenda.

BACKGROUND

The subject property is at 6140 Boundary Road, and consists of two vacant parcels (PINs 09-18-305-018 & -019) located in unincorporated DuPage County at the southwest intersection of Boundary Court, Boundary Road, and Lee Avenue. The property is directly north of the Indian Trail School campus, separated by a portion of unimproved 62nd Street right-of-way. The 14,001-square-foot property is currently unimproved.

The owner of the subject property has petitioned the Village for a voluntary annexation of the subject property which is contiguous and located within the Village's planning boundary. The plat of annexation has been prepared and all necessary fees have been paid. The proper notices were sent to the Darien-Woodridge Fire Protection District, Downers Grove Township and DuPage County on March 22, 2018.

The unimproved property requires various public improvements. The vacant lot is not serviced with water, the public road needs to be extended, and a guardrail must be re-installed.

The petitioner is requesting to rezone the property from the default zoning classification of R-1, Residential Detached House 1, upon annexation, to R-3, Residential Detached House 3, another single family zoning district. The R-3 designation will match the land use, lot size, and zoning of contiguous properties to the east and the surrounding neighborhoods.

Compliance with the Zoning Ordinance

The property will be zoned R-1, Residential Detached House 1, upon annexation. As such, the petitioner is proposing to rezone the property to align the land use and the zoning of the subject property with the appropriate zoning classification. The proposed single family use is a permitted use in both the R-1 and R-3 zoning districts.

The proposed R-3, Residential Detached House 3, zoning classification is appropriate for this property as it meets the bulk and use regulations.

Compliance with the Comprehensive Plan

The proposed rezoning is consistent with the Comprehensive Plan, identifying the property as part of the traditional grid type of residential development. If the property is annexed and rezoned, the proposed rezoning will have no impact on the existing residential development patterns of this area as the land use will remain single family residential and the property characteristics do not conform to the default R-1 district characteristics. The proposed rezoning of the property from R-1 to R-3 is consistent with the Comprehensive Plan.

Public Comment

There were no concerns raised at the public hearing. One general inquiry was responded to prior to the public hearing with no objections.

ATTACHMENTS

Annexation Ordinance

Rezoning Ordinance

Aerial Map

Annexation Petition

Staff Report with attachments dated March 5, 2108

Draft Minutes of the Plan Commission Hearing dated March 5, 2018

ORDINANCE NO. _____**AN ORDINANCE ANNEXING 6140 BOUNDARY ROAD TO THE
VILLAGE OF DOWNERS GROVE, ILLINOIS**

WHEREAS, there has been filed with the Clerk of the Village of Downers Grove, in DuPage County, Illinois, a verified petition requesting annexation to said Village of a parcel of land commonly known as 6140 Boundary Road, as hereinafter described and hereafter referred to as the "Territory"; and

WHEREAS, it appears to be in the best interests of the Village of Downers Grove to annex the Territory; and

WHEREAS, all required submittals, fees and payments have been submitted to the Village prior to the approval of this Ordinance.

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

SECTION 1. The following described real estate, together with any public streets or highways adjacent to or within the Territory described that have not been previously annexed to any municipality, is hereby annexed to the Village of Downers Grove, to wit:

LOT 9 AND THE SOUTH HALF OF LOT 8 IN BLOCK 26 IN DOWNERS GROVE GARDENS, BEING A SUBDIVISION IN SECTION 13, TOWNSHIP 38 NORTH, RANGE 10, AND SECTION 18, TOWNSHIP 38 NORTH, RANGE 11 ALL EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1924 AS DOCUMENT 177390, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 6140 Boundary Road, Downers Grove, IL 60516
(PINs 09-18-305-018; -019)

SECTION 2. That annexation to the Village of Downers Grove shall be subject to the following conditions:

1. The petitioners shall make a payment of five (5) years of Fire Protection District taxes for the subject property prior to Village Council consideration in the amount of \$545.70.
2. The petitioners shall extend Boundary Road up to twenty (20) feet southwest of the end of the proposed driveway, matching the width of existing pavements. Curb and gutter shall be installed along the southeast edge of the pavement only. The northwest edge shall match existing pavement.
3. The petitioners shall re-install a guardrail at the end of Boundary Road.
4. The water service connection shall be located within the paved portion of Boundary Road.

SECTION 3. A certified copy of this ordinance, together with an accurate map of the Territory hereby annexed shall be recorded in the office of the Recorder of DuPage County and shall be filed with the County Clerk of DuPage County by the Clerk of the Village.

SECTION 4. All ordinances or resolutions, or parts thereof, in conflict with the provisions of this ordinance be and are hereby repealed.

SECTION 5. This ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

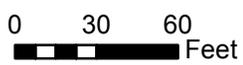
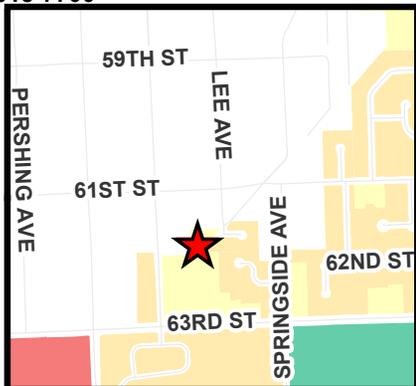
Passed:

Published:

Attest: _____

Village Clerk

I:\mw\ord.18\6140-Boundary-Anx-18-PLC-0002



6140 Boundary Road - Location Map





\$901 Processing Fee
(Annexation & Rezoning)
Property Address:

Just South of
6138 Boundary Rd.

**PETITION FOR ANNEXATION TO
THE VILLAGE OF DOWNERS GROVE, ILLINOIS**

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

TO: The Mayor and Village Council of the Village of
Downers Grove
801 Burlington Avenue
Downers Grove, Illinois 60515

The undersigned petitioner(s) (hereinafter referred to as the "Petitioners"), being first duly sworn on oath, hereby respectfully represent and petition as follows:

1. The Petitioners are and include (i) the owner or owners of record of all land within the territory (the "Territory") hereinafter more particularly described, to be annexed to the Village of Downers Grove, Illinois, pursuant to this Petition, and (ii) at least 51% Of the electors, if any, residing in the Territory;
2. The Territory is contiguous to the Village of Downers Grove, Illinois, and is not included within the corporate limits of any municipality;
3. The Petitioners request that the Territory, more particularly described as follows, to-wit:

LEGAL DESCRIPTION

LOT 9 AND THE SOUTH HALF OF LOT 8 IN BLOCK 26 IN DOWNERS GROVE GARDENS, BEING A SUBDIVISION IN SECTION 13, TOWNSHIP 38 NORTH, RANGE 10, AND SECTION 18, TOWNSHIP 38 NORTH, RANGE 11 ALL EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1924 AS DOCUMENT 177390, IN DUPAGE COUNTY, ILLINOIS.

Commonly Known As: NW CORNER OF 62ND & BOUNDARY RD.

Permanent Index Number(s) (PIN): 09-18-305-018/019

together with any public streets or highway adjacent to or within the Territory that have not previously been annexed to any municipality to be annexed to and become a part of the Village of Downers Grove, Illinois.

- 4. A plat of annexation certified by a Registered Illinois Land Surveyor and including the Permanent Index Number(s) of the Territory has been or will be prepared and attached hereto as an exhibit.
- 5. That this annexation is contingent upon granting zoning as requested in the Petition herewith.

WHEREFORE, the Petitioners respectfully request that an ordinance be adopted by the Council of the Village of Downers Grove, Illinois, annexing the Territory to said Village and that all such other proceedings be had as are required by law to effect the annexation of the Territory to the Village of Downers Grove, Illinois.

Dated: 1/24/2018

Respectfully submitted,

Owners: MARK & SHERI GAGLIANO

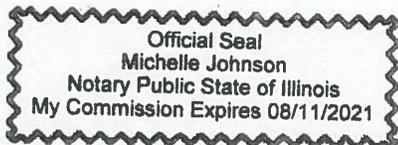
Mailing Address: 5901 WOODWARD AVE.
DOWNERS GROVE, IL 60516
[Signature]

Telephone Numbers: MARK 630.240.2715
SHERI 630.638.1045

Subscribed and sworn to before me this 24 day of Jan, 20 18

[Signature]
Notary Public

NOTARIAL SEAL



DuPage County

Electors (if any)



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
MARCH 5, 2018 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
18-PLC-0002 6140 Boundary Road, Vacant	Zoning Map Amendment (Upon Annexation)	Rebecca Leitschuh, AICP Planning Manager

REQUEST

The petitioner is requesting a Zoning Ordinance Map Amendment to rezone the subject property from R-1, Residential Detached House 1 to R-3, Residential Detached House 3, upon annexation, under VODG Section 28.12.030.

NOTICE

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

GENERAL INFORMATION

**OWNERS/
APPLICANTS:** Mark and Sheri Gagliano
5901 Woodward Avenue
Downers Grove, IL 60516

PROPERTY INFORMATION

EXISTING ZONING: R-3, Single Family Residence (DuPage County)
R-1, Residential Detached House 1 (upon annexation)
EXISTING LAND USE: Single Family Residential
PROPERTY SIZE: 14,001 square feet (0.532 acres)
PINS: 09-18-305-018 & -019

SURROUNDING ZONING AND LAND USES**ZONING**

NORTH: R-1, Single Family Residence
SOUTH: R-1, Single Family Residence
EAST: R-3, Single Family Residence
WEST: R-4, Single Family Residence (DuPage County)

FUTURE LAND USE

Single Family Detached
Institutional/Public
Single Family Detached
Single Family Detached

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. Petition for Annexation
3. Plat of Annexation
4. Plat of Survey
5. Location Map
6. Project Narrative

PROJECT DESCRIPTION

The subject property is at 6140 Boundary Road, and consists of two vacant parcels (PINs 09-18-305-018 & -019) located in unincorporated DuPage County at the southwest intersection of Boundary Court, Boundary Road, and Lee Avenue. The property is directly north of the Indian Trail School campus, separated by a portion of unimproved 62nd Street right-of-way. The 14,001 square foot property is currently unimproved. Public right-of-way access will have to be constructed at time of development, extending the improved section of Boundary Road.

The owners of the subject property have petitioned the Village for a voluntary annexation as this property is contiguous to the Village's municipal boundary. If approved, the newly annexed property will be assigned the default zoning classification of R-1, Residential Detached House 1. As such, the petitioners are requesting to rezone the property R-3, Residential Detached House 3 in order to bring the property into the same zoning classification as the neighboring properties to the east, which is more compatible with the property dimensions. The petitioners intend to construct a single family house for their own home.

In addition to the voluntary annexation and rezoning request, the petitioners will enter into an Annexation Agreement with the Village of Downers Grove as noted in their Letter of Acknowledgement. The Annexation Agreement details site and public engineering improvements that will be required at time of building permit submittal in order to develop the property with a single family home. These improvements include:

- Adding water service connection to be located within the paved portion of Boundary Road
- Improving the subject property in accordance with the Stormwater and Flood Plain Ordinance
- Extending Boundary Road up to twenty feet southwest of the end of the proposed driveway, matching the width of existing pavements
- Re-installing a guardrail at the end of Boundary Road
- Installing curb and gutter along the southeast edge of the pavement only, and matching the northwest edge to existing pavement
- Making payment for five years of Fire Protection District taxes to Darien-Woodridge in the amount of \$545.70

The proposed improvements will provide the property a level of service that is consistent with all other residential properties found in the Village.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan's Residential Areas Plan identifies the property as part of the traditional grid type of residential development. This area contains grid style street layouts, although in close proximity to modified grid development, including cul-de-sacs among the type of housing development. The subject property is similar in lot size and width to the immediately adjacent residential lots, although there is a wide variety of bulk lot dimensions in the neighborhood. The proposed rezoning will have no impact on the existing development patterns of this area as the land use will remain single family residential and the property does not conform to the default R-1 classification. The proposed rezoning from R-1 to R-3 is consistent with the Comprehensive Plan.

The Comprehensive Plan identifies the property as Single-Family Detached Residential, and states that it should continue to be the predominant land-use in the Village. By changing the bulk zoning regulations to reflect existing conditions in the neighborhood and be more compatible with lot configurations, the rezoning helps ensure investment in quality housing stock.

COMPLIANCE WITH THE ZONING ORDINANCE

The property will be automatically zoned to R-1, Residential Detached House 1 zoning designation upon annexation. However, the measurements of the subject property do not meet the zoning regulations associated with the R-1 designation. As such, the petitioner is proposing to rezone the property in order to more closely match the size of the property with an appropriate zoning classification. A comparative analysis of the bulk requirements for both the R-1 and R-3 districts are found in the table below:

	R-1 District Lot Regulations	R-3 District Lot Regulations	6140 Boundary Road
Min. Lot Area	20,000 sq. ft.	10,500 sq. ft.	14,001 sq. ft.
Min. Lot Width	100 ft.	75 ft.	83.66 ft.

The building regulations for the R-1 and R-3 zoning districts are compared and applied to the subject property in the table below:

Zoning Ordinance Bulk Regulations	R-1 District Bulk Requirements	R-3 District Bulk Requirements
Street Setback	40 feet	30 feet
Side Setback	8.37 feet	8.37 feet
Rear Setback	20 feet	20 feet

The proposed R-3, Residential Detached House 3, zoning classification is appropriate for this property as it meets the bulk and use regulations.

ENGINEERING/PUBLIC IMPROVEMENTS

The property, when developed as a single family home, shall comply with the Stormwater and Flood Plain Ordinance. Also, all public improvements, utility connections, and Post Construction Best Management Practices must meet Village Engineering Standards.

NEIGHBORHOOD COMMENT

Notice was provided to all adjacent property owners in addition to posting the public hearing notice sign and publishing the legal notice in *Downers Grove Suburban Life*. One general inquiry was fielded with no objections to the development.

FINDINGS OF FACT

Section 12.030.I Review and Approval Criteria of Zoning Map Amendments to the Zoning Ordinance
Village Council and Plan Commission consideration and approval of any map amendment is a matter of legislative discretion that is not controlled by any single standard. However, in making recommendations and decisions about zoning map amendments, the Village Council and Plan Commission shall consider the following factors:

(1) ***The existing use and zoning of nearby properties.***

The property is located in unincorporated DuPage County and has a county zoning designation of R-4. The property is surrounded by single family residential lots with various lot widths and lot area. The majority of properties to the south (excluding the school) and east are zoned R-3, with lot widths of 70 to 85 feet and similar lot sizes. The existing use is vacant, although zoned for single family residential and will remain single family residential. The proposed use and zoning are consistent with the uses and sizes of the nearby properties. This standard has been met.

(2) ***The extent to which the particular zoning restrictions affect property values.***

The proposed rezoning will not negatively affect property values. By rezoning from R-1 to R-3, the petitioner is bringing the property closer to conformance with the Zoning Ordinance. This standard has been met.

(3) ***The extent to which any diminution in property value is offset by an increase in the public health, safety and welfare.***

The proposed rezoning will not impact property values or the public health, safety and welfare of the community. The existing use is single family and the proposed use will remain single family residential. This standard has been met.

(4) ***The suitability of the subject property for the zoned purposes.***

The property is currently zoned single family residential and will remain a single family residence district if rezoned from R-1 to R-3. However, the two zoning designations contain differences with their associated regulations. Properties located within the R-1 zoning classification require 100 feet in lot width and 20,000 square feet in lot area, where properties zoned R-3 require 75 feet in lot width and 10,500 square feet in lot area. As such, the property with a combined 83.66 foot lot width and 14,001 square foot lot area is closer to the regulations associated with lots zoned R-3 and is consistent with the conditions of surrounding properties. This standard has been met.

(5) ***The length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity.***

The subject property is vacant. The petitioner is proposing to construct a single family home after the approvals of the annexation and rezoning requests. This standard has been met.

(6) ***The value to the community of the proposed use.***

The Comprehensive Plan identifies quality housing stock as being one of the most important factors that contribute to the Village's character and identity. The proposed zoning map amendment affords the opportunity for a new single family residence while remaining compatible with surrounding bulk zoning and lot conditions, increasing the Village's quality housing stock. The proposed use will be a value to the community once all of the conditions in the Annexation Agreement have been installed. The proposed site improvements will increase the public health, safety and welfare of the users and to the public. This standard has been met.

(7) ***The Comprehensive Plan.***

The subject property is designated for detached single family residential use as identified in the Comprehensive Plan. The petitioner is proposing to develop this property with a new single family detached house which follows the Comprehensive Plan. This standard has been met.

RECOMMENDATION

The proposed rezoning of the property is compatible with the Comprehensive Plan and 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 this petition with the following conditions:

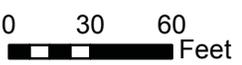
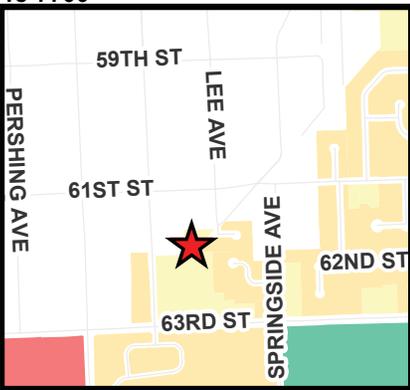
- 1) The petitioners shall enter into an Annexation Agreement prior to Village Council Consideration.
- 2) The petitioners shall make a payment of five (5) years of Fire Protection District taxes for the subject property prior to Village Council consideration in the amount of \$545.70.
- 3) The petitioners shall extend Boundary Road up to twenty (20) feet southwest of the end of the proposed driveway, matching the width of existing pavements. Curb and gutter shall be installed along the southeast edge of the pavement only. The northwest edge shall match existing pavement.
- 4) The petitioners shall re-install a guardrail at the end of Boundary Road.
- 5) The water service connection shall be located within the paved portion of Boundary Road.

Staff Report Approved By:



Stanley J. Popovich, AICP
Community Development Director

SP:rl
-att



6140 Boundary Road - Location Map



Mark Gagliano
5901 Woodward Ave.
Downers Grove, IL 60516
630.248.2775
Mlgags99@gmail.com

Jan 26, 2018

Downers Grove Community Development
801 Burlington Ave
Downers Grove, IL 60515

RE: Request of village annexation for parcels 09-18-305-018 and 09-18-305-019

Dear Downers Grove Department of Community Development:

I am writing to request annexation and re-zoning for a single parcel of property that is located in unincorporated DuPage County pin 09-18-305-018 and 09-18-305-019. The property does not have an official address and is located near Boundary Court, referred to as 62nd and Stonewall Ave (018) and 1860 63rd Street (019)-see Exhibits A and B. The legal description is:

Lot 9 and the south half of lot 8 in block 26 in Downers Grove Gardens, being a subdivision in section 13, township 38 north, range 10, and section 18, township 38 north, range 11 all east of the third principal meridian, according to the plat thereof recorded May 7, 1924 as document 177390, in DuPage County, Illinois.

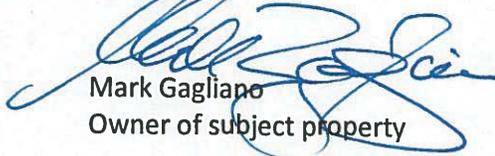
Specifically, I am requesting the annexation to allow roadway access for the proposed construction of a single family home on the referenced property. There are several reasons why this annexation would benefit the community:

- 1.) The surrounding properties in Boundary Court are already in the Village and currently zoned R-3
- 2.) The property values in the area will be improved once a new single family residence has been completed
- 3.) Approximately 75' of Boundary Road will be developed at no cost to the Village
- 4.) The proposed single family home design will be closely aligned with the existing homes in Boundary Court
- 5.) This property was developed and had remained vacant for over 18 years – this development will enrich the area
- 6.) A completed single family home inside the Village limits will contribute substantial tax revenues to support all Downers Grove services while requiring minimal resources
- 7.) The comprehensive plan includes the annexation of the property into the Village, extension of Boundary Road that will provide access to a driveway for this parcel and the completion of a single family residence for my family

In summary, annexing the property into the Village will provide 3 benefits: 1.) the donation of the Boundary Road improvements 2.) enrichment to a lot that has remained vacant for more than 18 years and 3.) provide tax revenues to the Village with minimal burden.

Should you approve this annexation request, I would like to request immediate re-zoning from R-1 to R-3 to match the existing zoning in Boundary Court. Thank you for considering this annexation/re-zoning request.

Respectfully,



Mark Gagliano
Owner of subject property

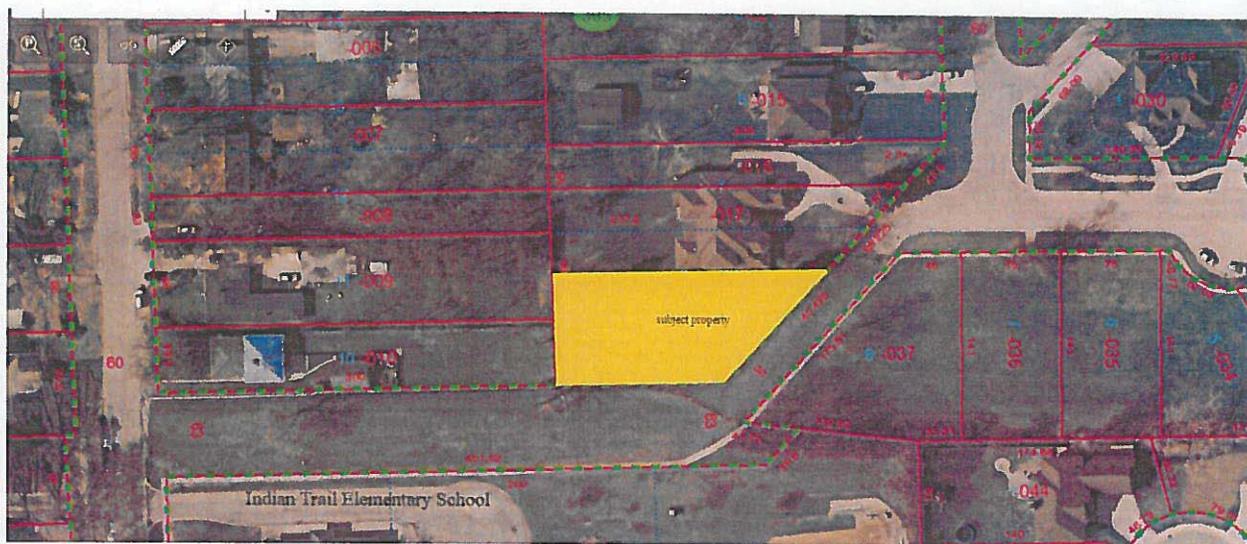
Attachments:

Petition for Plan Commission
Petitioner's Submittal Checklist
Petition for Annexation
Certification of Public Notice Information
Public Notice Data – Names/Addresses for Property Owners within 250' of Subject Property
Downers Grove Sanitary District Written Approval
Firemen Pension Data - 2016 Property Tax Information
Boundary Survey
Plat of Annexation
Proposed Site Development Plan (preliminary)
Verification of Property Ownership

Exhibit A – large overview of area



Exhibit B – closer view of area

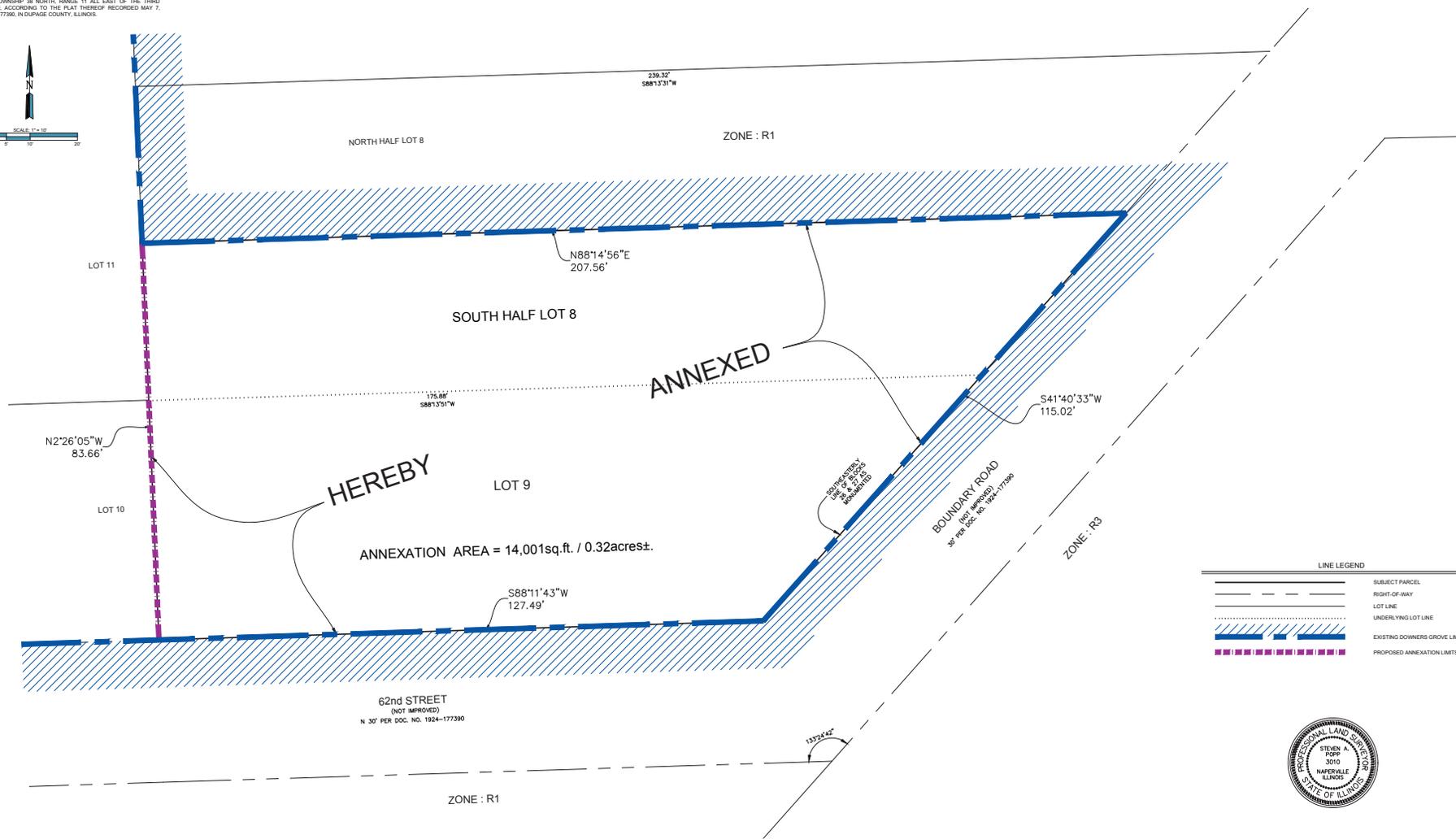
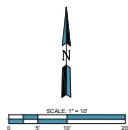


LEGAL DESCRIPTION

LOT 9 AND THE SOUTH HALF OF LOT 8 IN BLOCK 28 IN DOWNERS GROVE GARDENS, BEING A SUBDIVISION IN SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1924 AS DOCUMENT 177390, IN DUPAGE COUNTY, ILLINOIS.

PLAT OF ANNEXATION TO THE VILLAGE OF DOWNERS GROVE

PIN 09-18-305-019



LINE LEGEND

	SUBJECT PARCEL
	RIGHT-OF-WAY
	LOT LINE
	UNDERLYING LOT LINE
	EXISTING DOWNERS GROVE LIMITS
	PROPOSED ANNEXATION LIMITS



SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
) S.S.
 COUNTY OF DUPAGE)
 I, STEVEN A. POPP, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THE ABOVE DESCRIBED PROPERTY AND PLAT HEREON WAS PREPARED UNDER MY DIRECT SUPERVISION, FROM EXISTING PLATS AND RECORDS FOR THE PURPOSE OF ANNEXING PROPERTY TO THE VILLAGE OF DOWNERS GROVE, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID PROPERTY. ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
 GIVEN UNDER MY HAND AND SEAL AT NAPERVILLE, ILLINOIS, THIS 3rd DAY OF JANUARY, A.D., 2018.

STEVEN A. POPP
 LICENSE EXPIRES NOVEMBER 30, 2018
 PROFESSIONAL DESIGN FIRM NO. 184004465
 THIS SERVICE DOES NOT CONFORM TO THE CURRENT ILLINOIS STANDARDS FOR A BOUNDARY SURVEY.

COUNTY RECORDERS CERTIFICATE

STATE OF ILLINOIS)
) S.S.
 COUNTY OF DUPAGE)
 THIS INSTRUMENT NUMBER _____ WAS FILED FOR RECORD IN THE RECORDERS' OFFICE OF KANE COUNTY, ILLINOIS, THIS _____ DAY OF _____, A.D., 2018, AT _____ O'CLOCK _____ M.

RECORDED _____

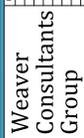
VILLAGE COUNCIL CERTIFICATE

STATE OF ILLINOIS)
) S.S.
 COUNTY OF DUPAGE)
 THE PROPERTY SHOWN ON THE ABOVE PLAT OF ANNEXATION IS IDENTIFIED AS THAT UNINCORPORATED AND MADE A PART OF THE VILLAGE OF DOWNERS GROVE BY ORDINANCE NUMBER _____ AND ADOPTED BY THE COUNCIL OF THE VILLAGE OF DOWNERS GROVE ON THE _____ DAY OF _____ A.D., 2018.

ATTEST: _____ BY: _____
 VILLAGE CLERK MAYOR

PREPARED FOR: MARK CALABRO ESQ. DOWNERS GROVE, ILLINOIS

PLAT OF ANNEXATION BOUNDARY ROAD & 62nd STREET UNINCORPORATED DUPAGE COUNTY, ILLINOIS



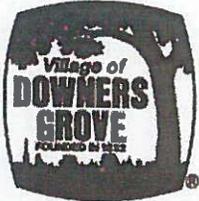
WEAVER CONSULTANTS GROUP 1155 WILSON STREET SUITE 100 NAPERVILLE, ILLINOIS 60563-7148 www.wcgrp.com

REG. OF DOCUMENTS This document, and the design incorporated herein, is an instrument of the State of Illinois and is subject to the provisions of the Uniform Gifts to Minors Act and will be held in trust for the benefit of the minor(s) named herein.

Drawn by:	CPW
Checked by:	SAP
Date:	12/27/2017
Plot:	4184-300-09
Case:	68000004-0009

SHEET 1 OF 1

Copyright © 2017 Weaver Consultants Group. All rights reserved.



\$901 Processing Fee
(Annexation & Rezoning)
Property Address:

Just South of
6138 Boundary Rd.

**PETITION FOR ANNEXATION TO
THE VILLAGE OF DOWNERS GROVE, ILLINOIS**

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

TO: The Mayor and Village Council of the Village of
Downers Grove
801 Burlington Avenue
Downers Grove, Illinois 60515

The undersigned petitioner(s) (hereinafter referred to as the "Petitioners"), being first duly sworn on oath, hereby respectfully represent and petition as follows:

1. The Petitioners are and include (i) the owner or owners of record of all land within the territory (the "Territory") hereinafter more particularly described, to be annexed to the Village of Downers Grove, Illinois, pursuant to this Petition, and (ii) at least 51% Of the electors, if any, residing in the Territory;
2. The Territory is contiguous to the Village of Downers Grove, Illinois, and is not included within the corporate limits of any municipality;
3. The Petitioners request that the Territory, more particularly described as follows, to-wit:

LEGAL DESCRIPTION

LOT 9 AND THE SOUTH HALF OF LOT 8 IN BLOCK 26 IN DOWNERS GROVE GARDENS, BEING A SUBDIVISION IN SECTION 13, TOWNSHIP 38 NORTH, RANGE 10, AND SECTION 18, TOWNSHIP 38 NORTH, RANGE 11 ALL EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1924 AS DOCUMENT 177390, IN DUPAGE COUNTY, ILLINOIS.

Commonly Known As: NW CORNER OF 62ND & BOUNDARY RD.

Permanent Index Number(s) (PIN): 09-18-305-018/019

together with any public streets or highway adjacent to or within the Territory that have not previously been annexed to any municipality to be annexed to and become a part of the Village of Downers Grove, Illinois.

- 4. A plat of annexation certified by a Registered Illinois Land Surveyor and including the Permanent Index Number(s) of the Territory has been or will be prepared and attached hereto as an exhibit.
- 5. That this annexation is contingent upon granting zoning as requested in the Petition herewith.

WHEREFORE, the Petitioners respectfully request that an ordinance be adopted by the Council of the Village of Downers Grove, Illinois, annexing the Territory to said Village and that all such other proceedings be had as are required by law to effect the annexation of the Territory to the Village of Downers Grove, Illinois.

Dated: 1/24/2018

Respectfully submitted,

Owners: MARK & SHERI GAGLIANO

Mailing Address: 5901 WOODWARD AVE.
DOWNERS GROVE, IL 60516
[Signature]

Telephone Numbers: MARK 630.240.2715
SHERI 630.638.1045

Subscribed and sworn to before me this 24 day of Jan, 20 18

[Signature]
Notary Public

NOTARIAL SEAL



DuPage County

Electors (if any)

March 5, 2018 DRAFT PC MINUTES

18-PLC-0002: A petition seeking approval of an Annexation and Zoning Map Amendment to R-3, Residential Detached House 3, for a vacant parcel. The property is in unincorporated Downers Grove, and would be automatically rezoned R-1, Residential Detached House 1 upon annexation. The property is located at the southwest intersection of Boundary Court, Boundary Road, and Lee Avenue, unincorporated Downers Grove, IL (PINs 09-18-305-018 & -019). Mark and Sheri Gagliano, Petitioner and Owner.

Ms. Rebecca Leitschuh, Planning Manager for the Village, stated that the petitioner is requesting a Zoning Ordinance Map Amendment to rezone the subject property from R-1 Residential Detached House 1 to R-3, Residential Detached House 3, upon annexation, under VODG Section 28.12.030. She displayed the Plat of Survey for the subject site that consists of two vacant parcels that will be consolidated for single-family construction. Because the petitioner is requesting rezoning differently than the default zoning upon annexation, this is being brought before the Plan Commission, otherwise it would only go before Village Council. Surrounding annexed properties are R-1 or R-3, both of which are single-family zoning classifications. R-1 is the default zoning assigned to a property upon annexation. The unincorporated areas are zoned R-4, similar to the Village R-3 zoning designation.

The petitioner in this case is requesting that the property come into the Village as R-3, rather than the default zoning. R-3 zoning would bring the property into the same zoning classification as neighboring properties to the east, which is more compatible with the subject property dimensions. Staff described the surrounding uses, bulk trends, and district standards. Staff agrees that R-3 zoning is the appropriate classification for the property.

Ms. Leitschuh stated that based on the findings in Staff's report dated March 5, 2018, Staff recommends that a positive recommendation be made to the Village Council by the Plan Commission, with conditions 1-5 as stated on page 5 of Staff's March 5, report.

Mr. Kulovany said Staff's report talks about the improvements including extending Boundary Road up to twenty feet southwest of the end of the proposed driveway, matching the width of existing pavements at no cost to the Village, approximately 75 feet in total per the petitioner's letter. He asked if the Village has any minimum requirements for how long a road has to be extended in front of a property. Ms. Leitschuh replied that Public Works Staff has met with the petitioner to make them aware of the expectations, so the homeowners would know what financial costs would be associated with building a home on the property. She explained it was to provide extra room for a turnaround and for a snow plow, relocating the guardrail so as to not block their driveway or anyone else's.

Ms. Gassen said the extension of the road appears to be parallel and very close to the walking path, and she asked if the walking path would remain saying that was her preference. Ms. Leitschuh replied that she was unsure but she assumed it would remain because the removal of the sidewalk was not discussed during the review process.

March 5, 2018 DRAFT PC MINUTES

Ch. Rickard called upon the petitioner to make its presentation.

Mr. Mark Gagliano of 5901 Woodward Avenue said he was the petitioner for this property. He said they have no intention to have the sidewalk removed, and it is not on their property. He thanked the Plan Commission for considering their request.

There were no questions or comments from the Plan Commission to the petitioner.

Ch. Rickard called upon input from the public on this petition. There being none, he closed the public hearing.

Ms. Gassen asked if they are recommending only the rezoning, or the annexation as well. Ms. Leitschuh replied they are making the recommendation on the Zoning Map amendment.

Ms. Gassen moved in case 18-PLC-0002 that the Plan Commission forward a positive recommendation to the Village Council for the Zoning Map Amendment subject to the conditions listed on Page 5 of Staff's Report dated March 5, 2018.

Mr. Boyle seconded the Motion.

**AYES: Ms. Gassen, Mr. Boyle, Ms. Johnson, Mr. Kulovany, Ms. Majauskas,
Ms. Rollins, Ch. Rickard**

NAYS: None

Motion passed unanimously.