

**VILLAGE OF DOWNERS GROVE**  
**Report for the Village**  
**8/9/2022**

<b>SUBJECT:</b>	<b>SUBMITTED BY:</b>
3859 Douglas Road - Annexation	Stan Popovich, AICP Director of Community Development

**SYNOPSIS**

Ordinances have been prepared annexing & rezoning the property at 3859 Douglas Road.

**STRATEGIC PLAN ALIGNMENT**

The goals for 2021-2023 include *Exceptional Municipal Services*

**FISCAL IMPACT**

N/A

**RECOMMENDATION****UPDATE & RECOMMENDATION**

This item was discussed at the August 2nd, 2022 Village Council meeting. Staff recommends approval on the August 9th, 2022 active agenda per the Plan Commission's unanimous 6:0 positive recommendation to rezone.

**BACKGROUND**Property Information & Zoning Request

The subject property is at 3859 Douglas Road, and consists of two lots located in unincorporated DuPage County at the northeast corner of 39th Street and Douglas Road. Currently Lot 1 is vacant as the former house was recently demolished. A new home is proposed for construction on this lot. Lot 2 was subdivided from Lot 1 in 2021 via the DuPage County process and is currently vacant.

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 to R-2, Residential Detached House 2 in order to bring the property into the same zoning classification as the neighboring properties to the east and south, which is more compatible with the property dimensions. The petitioners intend to construct a single family house on Lot 1.

### Compliance with the Comprehensive Plan

The proposed rezoning from R-1 to R-2 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 to be more compatible with lot configurations, the rezoning helps ensure investment in quality housing stock.

### Public Comment

Prior to Plan Commission consideration, staff received two calls seeking additional information on the request. No additional inquiries were received at the public hearing.

### **ATTACHMENTS**

Ordinances

Aerial Map

Staff Report with attachments dated July 11, 2022

Approved Minutes of the Plan Commission Hearing dated July 11, 2022

VILLAGE OF DOWNERS GROVE  
COUNCIL ACTION SUMMARY

INITIATED: Village Manager DATE: August 9, 2022  
(Name)

RECOMMENDATION FROM: Plan Commission FILE REF: 22-PLC-0015  
(Board or Department)

**NATURE OF ACTION:**

**STEPS NEEDED TO IMPLEMENT ACTION:**

- Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 3859 DOUGLAS ROAD", as presented.



**SUMMARY OF ITEM:**

Adoption of the attached ordinance shall rezone 3859 Douglas Road from R-1, Residential Detached House 1 to R-2, Residential Detached House 2.

**RECORD OF ACTION TAKEN:**

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**ORDINANCE NO. \_\_\_\_\_****AN ORDINANCE REZONING CERTAIN PROPERTY  
LOCATED AT 3859 DOUGLAS ROAD**

WHEREAS, the real estate located at 3859 Douglas Road, at the northeast corner of 39<sup>th</sup> Street and Douglas Road, hereinafter described has been classified as “R-1, Residential, Detached House 1”, under the Zoning Ordinance of the Village of Downers Grove; and

WHEREAS, the owner or owners of said real estate have requested that such property be rezoned as hereinafter provided; 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 July 11, 2022 and has made its findings and recommendations respecting said requested rezoning in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and

WHEREAS, making due allowance for existing conditions, the conservation of property values, the development of the property in conformance to the official Comprehensive Plan of the Village of Downers Grove, and the current uses of the property affected, the Council has determined that the proposed rezoning is for the public good.

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

**SECTION 1.** The Zoning Map of the Village, pursuant to Section 28.12.030 of the Downers Grove Municipal Code, is hereby further amended by rezoning to “R-2, Residential, Detached House 2” the zoning classification of the following described real estate, to wit:

LOT 1 OF S. AHMED ASSESSMENT PLAT OF LOT 9 IN BLOCK 9 IN ARTHUR T. MCINTOSH AND COMPANY'S FAIRVIEW AVENUE SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 7, 2021 AS DOCUMENT NUMBER R2021-087513, IN DUPAGE COUNTY, ILLINOIS.

LOT 2 OF S. AHMED ASSESSMENT PLAT OF LOT 9 IN BLOCK 9 IN ARTHUR T. MCINTOSH AND COMPANY'S FAIRVIEW AVENUE SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 7, 2021 AS DOCUMENT NUMBER R2021-087513, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as: 3859 Douglas Road, Downers Grove, IL 60516  
(PINs 06-32-415-034 and 06-32-415-035)

**SECTION 2.** The official zoning map shall be amended to reflect the change in zoning classification effected by Section 1 of this ordinance, subject to the following conditions:

1. Any changes to the conditions represented by the Petitioner as the basis for this petition,

whether those changes occur prior to or after Village approval, shall be promptly reported to the Village. The Village reserves the right to re-open its review process upon receipt of such information; and

2. It is the Petitioner's obligation to maintain compliance with all applicable Federal, State, County and Village laws, ordinances, regulations, and policies.

SECTION 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

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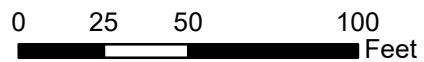
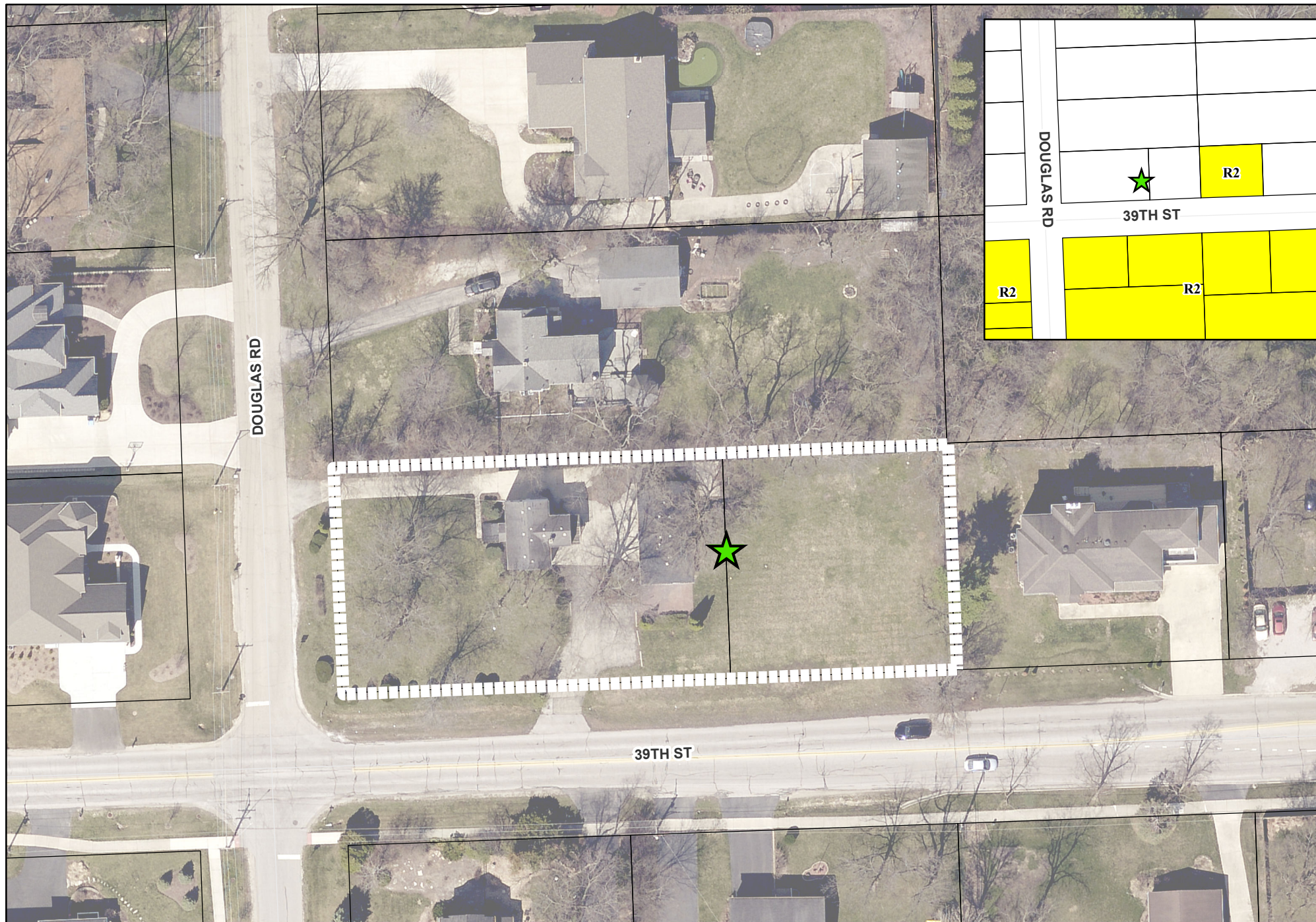
Mayor

Passed:



Published:

Attest: \_\_\_\_\_  
Village Clerk





### 3859 Douglas Road - Location Map

-  Subject Property
-  Project Location





**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE PLAN COMMISSION  
JULY 11, 2022 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
22-PLC-0015 3859 Douglas Road	Zoning Map Amendment (Upon Annexation)	Flora Ramirez, AICP Senior Planner

**REQUEST**

The petitioner is requesting a Zoning Ordinance Map Amendment to rezone the subject property from R-1, Residential Detached House 1 to R-2, Residential Detached House 2, upon annexation, under Village of Downers Grove Section 28.12.030.

**NOTICE**

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

**GENERAL INFORMATION**

**OWNER:** Suhael & Sumaira Ahmed  
2711 Deering Bay  
Naperville, IL 60564

**PETITIONER:** Suhael & Sumaira Ahmed  
2711 Deering Bay  
Naperville, IL 60564

**PROPERTY INFORMATION**

**EXISTING ZONING:** R-4, Single Family Residence (DuPage County)  
R-1, Residential Detached House 1 (upon annexation)

**EXISTING LAND USE:** Single Family Residential

**PROPERTY SIZE:** 36,344 sq. ft. (.82 acres)

**PINS:** 06-32-415-034 and 06-32-415-035

**SURROUNDING ZONING AND LAND USES**

	<b>ZONING</b>	<b>FUTURE LAND USE</b>
<b>NORTH:</b>	R-4, Single Family Residence (DuPage County)	Single Family Detached
<b>SOUTH:</b>	R-2, Residential Detached House 2	Single Family Detached
<b>EAST:</b>	R-2, Residential Detached House 2	Single Family Detached
<b>WEST:</b>	R-4, Single Family Residence (DuPage County)	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 3859 Douglas Road, and consists of two lots located in unincorporated DuPage County at the northeast corner of 39<sup>th</sup> Street and Douglas Road. Currently Lot 1 is vacant as the former house was recently demolished. A new home is proposed for construction on this lot. Lot 2 was subdivided from Lot 1 in 2021 and is currently vacant.

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 to R-2, Residential Detached House 2 in order to bring the property into the same zoning classification as the neighboring properties to the east and south, which is more compatible with the property dimensions. The petitioners intend to construct a single family house on Lot 1.

### **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. The proposed rezoning will have no impact on the existing development patterns of this area as the land use will remain single family residential. The proposed rezoning from R-1 to R-2 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 to be more compatible with lot configurations, the rezoning helps ensure investment in quality housing stock.

### **COMPLIANCE WITH 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-2 districts are found in the table below:

	<b>R-1 District Lot Regulations</b>	<b>R-2 District Lot Regulations</b>	<b>3859 Douglas Rd. Lot 1</b>	<b>3859 Douglas Rd. Lot 2</b>
Min. Lot Area	20,000 sq. ft.	15,000 sq. ft.	17,319 sq. ft.	10,011 sq. ft.
Min. Lot Width	100 ft.	85 ft.	100.17 ft.	100.13 ft.

The building regulations for the R-1 and R-2 zoning districts are compared and applied to the subject property in the table below:



Zoning Ordinance Bulk Regulations	R-1 District Bulk Requirements	R-2 District Bulk Requirements
Street Setback	40 feet	35 feet
Side Setback	10 feet	10 feet
Rear Setback	20 feet	20 feet

The proposed R-2, Residential Detached House 2, zoning classification is appropriate for this property as it meets the bulk and use regulations.

#### **NEIGHBORHOOD COMMENT**

Notice was provided to all property owners 250 feet or less from the property in addition to posting public hearing notice signs and publishing the legal notice in the *Daily Herald*. Staff has not received any comments from the public.

#### **STANDARDS OF APPROVAL**

The petitioner is requesting a Zoning Ordinance Map Amendment to rezone the subject property from R-1, Residential Detached House 1 to R-2, Residential Detached House 2, upon annexation. The Annexation is considered solely by the Village Council. The review and approval criterion for the Zoning Map Amendment is listed below.

The petitioner has submitted a narrative that attempts to address all the standards of approval. The Plan Commission should consider the petitioner's documentation, the staff report and the discussion at the Plan Commission meeting in determining whether the standards for approval of a rezoning have been met

#### ***Section 28.12.030.I. Zoning Map Amendment Review and Approval Criteria***

The decision to amend the zoning map is a matter of legislative discretion that is not controlled by any single standard. In making recommendations and decisions about zoning map amendments, review and decision-making bodies must consider at least the following factors:

1. *The existing use and zoning of nearby property.*
2. *The extent to which the particular zoning restrictions affect property values.*
3. *The extent to which any diminution in property value is offset by an increase in the public health, safety and welfare.*
4. *The suitability of the subject property for the zoned purposes.*
5. *The length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity.*
6. *The value to the community of the proposed use.*
7. *The comprehensive plan.*

#### **DRAFT MOTION**

Staff will provide a recommendation at the June 11<sup>th</sup>, 2022 meeting. Should the Plan Commission find that the request is consistent with the Comprehensive Plan and meets the requirements of the Zoning Ordinance, staff has prepared a draft motion that the Plan Commission may make for the recommendation approval of 22-PLC-0015:

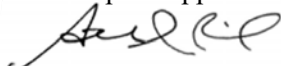
Based on the petitioner's submittal, the staff report, and the testimony presented, I find that the petitioner has met the standards of approval for the Zoning Map Amendment as required by the Village of Downers Grove Zoning Ordinance and is in the public interest and therefore, I move that the Plan Commission recommend to the Village Council approval of 22-PLC-0015, subject to the following conditions:

22-PLC-0015; 3859 Douglas Road  
July 11, 2022

Page 4

- 1) A sidewalk fee per Chapter 19 will be assessed in the amount of \$4,125.00

Staff Report Approved By:




Stanley J. Popovich, AICP  
Director of Community Development

SP; fr

June 14, 2022

Suhael & Sumaira Ahmed  
2711 Deering Bay Drive  
Naperville, IL 60564



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

Re: Request for village annexation for parcels 06-32-415-034 and 06-32-415-035

Dear Downers Grove Department of Community Development:

We are writing to request the annexation and re-zoning for a single parcel of property that is located in unincorporated Dupage County with pin 06-32-415-034 and 06-32-415-035.

The property address is 3859 Douglas Road, Downers Grove, IL 60515 and is located at the NE corner of Douglas Road and 39<sup>th</sup> Street.

The legal description is as follows:

Lot 9 in Arthur T. McIntosh and Company's Fairview Ave Subdivision, being a Subdivision in the east half of section 5, Township 38 North Range 11, east of the third Principal Meridian, and in the southeast quarter of section 32, Township 39 North Range 11, East of the Third Principal Meridian, according to the Plat thereof recorded September 7, 1923 as Document 169326, in Dupage County, Illinois. Commonly Known as 3859 Douglas Road, Downers Grove, Illinois.

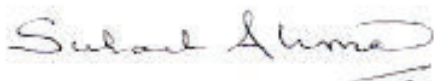
Specifically, we are requesting the annexation to allow for the proposed construction of a single family home on the referenced property. There are several reasons why this annexation would benefit the community:

- 1) The surrounding properties to the south of 39<sup>th</sup> street are already in the Village and currently zoned for R-2
- 2) The property values in the area will be improved once a new single family residence has been completed.
- 3) The proposed single family home design will be closely aligned with the existing and new homes being built in the surrounding area of this subdivision.
- 4) A completed upscale single family home inside the village limits will contribute substantial tax revenues to support all Downers Grove Services.
- 5) The comprehensive plan includes the annexation of the property into the Village and the construction of a single family residence as our primary residence.

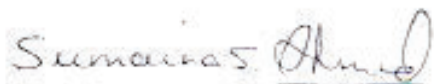
In summary, annexing the property into the Village of Downers Grove will provide the following Key benefits:

- 1) Enhance the property values in the area;
- 2) Provide tax revenues to the Village to support the services being offered by the Village;
- 3) And the proposed new single family home will be aligned with the existing and new homes being built in this subdivision of the Village.

Respectfully



Suhael Ahmed  
Owner of the subject property



Sumaira S. Ahmed  
Joint owner of subject property.

\$1,115 Processing Fee  
(Annexation & Rezoning)  
Property Address:



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

STATE OF ILLINOIS )

COUNTY OF DU PAGE ) SS

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:

(Insert Legal Description of the Subject Property)

Lot 9 in Block 9 in Arthur T. McIntosh and Company  
is Fairview Ave Subdivision, being a subdivision in  
the East half of section 5, Township 38 North,  
Range 11, East of the Third Principal Meridian,  
and in the Southeast quarter of section 22,  
Township 39 North Range 11, East of Third Principal  
Meridian, according to the Plat thereof, recorded  
September 7, 1923 as Document 169326, in DuPage  
County, Illinois

Commonly Known As: 3859 Douglas Road

Permanent Index Number(s) (PIN): 06-32-415-034



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: 05-24-2022

Respectfully submitted,

Owners: Suhail Ahmed Samir S. Ahmed

Mailing Address: 2711 Deering Bay Drive  
NAPERVILLE, IL - 60564

Telephone Numbers: \_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to before me this 24<sup>th</sup> day of MAY, 2022

Berene Tapia  
Notary Public

NOTARIAL SEAL



\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Electors (if any)



\$1,115 Processing Fee  
(Annexation & Rezoning)  
Property Address:

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

STATE OF ILLINOIS )

COUNTY OF DU PAGE ) SS

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:

(Insert Legal Description of the Subject Property)

Lot 9 in Block 9 in Arthur T. McIntosh and Company, 15 Fairview Ave, subdivision, being a subdivision in the east half of section 5, Township 38 North, Range 11, East of the Third Principal Meridian, and in the Southeast quarter of section 32, Township 39 North Range 11, East of the Third Principal Meridian, according to the Plat thereof recorded September 7, 1923 as document 169326, in DuPage County Illinois,

Commonly Known As: 3859 Douglas Road

Permanent Index Number(s) (PIN): 06-32-415-035

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: 05-24-2022

Respectfully submitted,

Owners: Subhal Ahmed Sumaira S. Ahmed

Mailing Address: 2711 Deering Bay Drive  
NAPERVILLE, IL. 60564

Telephone Numbers: 

Subscribed and sworn to before me this 24<sup>th</sup> day of May, 2022.

Berence Tapia Vertiz  
Notary Public

NOTARIAL SEAL



\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Electors (if any)

# ZONING MAP AMENDMENTS

## Review & Approval Criteria

### **1) The existing uses and zoning of nearby property.**

The existing parcels 06-32-415 and 06-32-415-035 are located in Unincorporated Dupage County with property address of 3859 Douglas Road, Downers Grove IL.

The description of the parcel is: Lot 9 in Arthur T. Macintosh and Company's Fairview Ave subdivision, being a subdivision in the east half of section 5, Township 38 North Range 11, east of the Third Principal Meridian, and in the southeast quarter of section 32, Township 39 North Range 11,, east of the third Principal Meridian, according to the Plat thereof recorded September 7, 1923 as Document 169326, in Dupage County, Illinois.

The subdivision consists entirely of residential neighborhood, all of which are zoned R-4 in unincorporated Dupage County.

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

Annexation and re-zoning of the property from unincorporated Dupage County into the Village of Downers Grove, IL will significantly increase the value and associated tax base for the proposed property. This can be expected to indirectly contribute to the increase in value of nearby houses.

Currently without the improvements or perimeter security to the existing parcel can affect safety & welfare of the surrounding area.

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

Development of the property at 3859 Douglas Road in Downers Grove, IL will result in the increase in property value of the lot and the proposed owner-occupied single-family residence and will not result in diminution of value.

In addition, the proposed single family home is being developed to meet both the village's and county's development requirements and zoning ordinances, but also to ensure that the house being built meets both the visual and from a standpoint of public health, safety & welfare.

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

As with all other properties in the surrounding neighborhood especially the newer built homes, we are requesting a re-zoning to R-2 for our proposed home in the village of Downers Grove.

This will be appropriate for the intended use of the property once permitted & developed into an owner-occupied, single-family home of approximately 3829 Sq. Ft. that will fit with the surrounding neighborhood.

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



The current parcel lot 9 is situated in Arthur T. McIntosh and Company's Fairview Ave of Downers Grove, which is a single family home subdivision comprising of average homes having being built in the 1970's and zoned as R-4. However, there is evidence of a number of new homes being built after previous homes were bought and torn down and re-developed under R-2 zoning.

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

The value to the community of the proposed development and use of the property at 3859 Douglas Road in Downers Grove, IL will be as follows:

- The increase in taxable base for the property will benefit the village to further support services provided to the community of Downers Grove.
- The property values in the area will be improved once a new owner-occupied single-family home is completed.
- The single family home design will be closely aligned with the new houses being developed in the subdivision.

## **7) The Comprehensive Plan.**

The comprehensive plan includes the annexation and re-zoning of the parcel into the Village of Downers Grove and the subsequent construction of an owner occupied single family residence that is consistent with the Village of Downers Grove's future Land Use Plan which denotes the property as a single family detached residential house.

# Plat of Annexation

PARCEL NUMBERS:  
06-02-415-034  
06-02-415-035

LOT 9 IN BLOCK 9 IN ARTHUR T. MCINTOSH AND COMPANY'S FAIRVIEW AVENUE SUBDIVISION, BEING A SUBDIVISION IN THE EAST HALF OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 7, 1923 AS DOCUMENT 169328, IN DUPAGE COUNTY, ILLINOIS.

COMMONLY KNOWN AS 3859 DOUGLAS ROAD, DOWNERS GROVE, ILLINOIS.

THIS PLAT HAS BEEN SUBMITTED FOR RECORDING AND RETURN TO: NAME: VILLAGE OF DOWNERS GROVE 805 BURLINGTON AVENUE DOWNERS GROVE, IL 60015

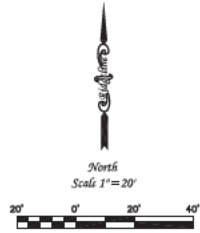
BASE OF BEARINGS: BEARINGS SHOWN HEREON ARE BASED ON THE ILLINOIS EAST 8305 STATE PLANE COORDINATE SYSTEM AS DETERMINED BY USING TRIMBLE VRS (GPS) NETWORK.

### ABBREVIATION LEGEND

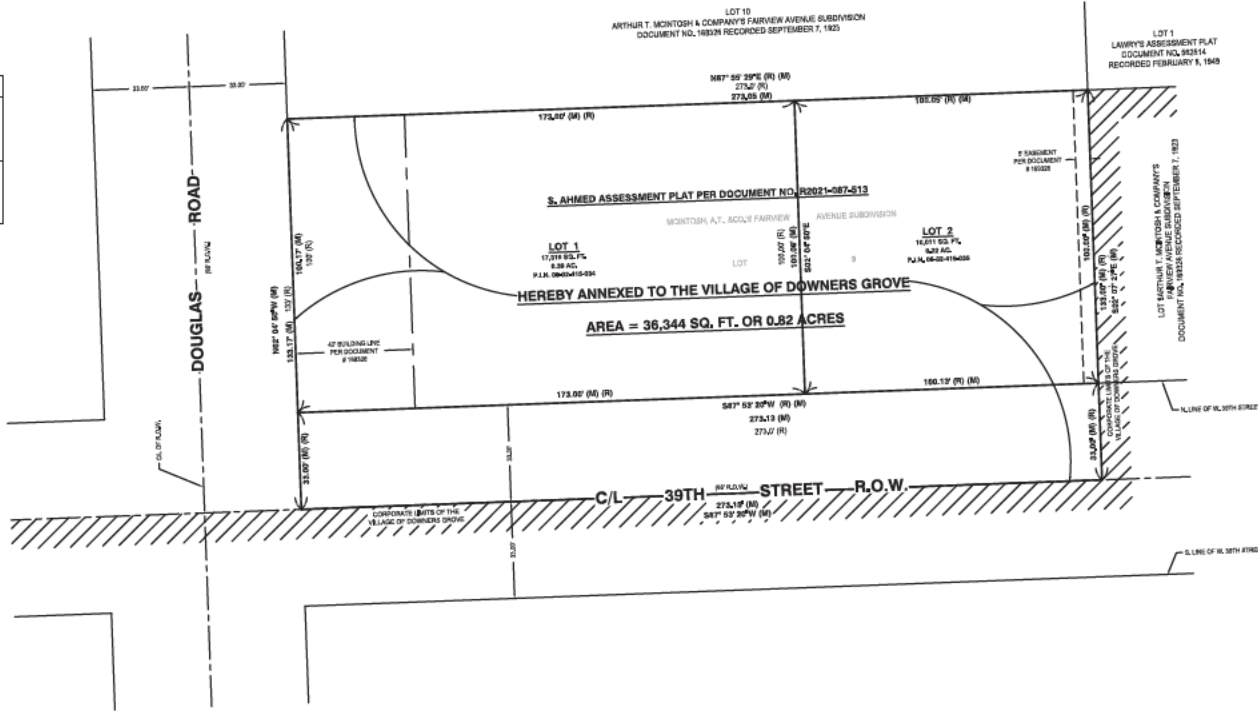
- B/L = BUILDING SETBACK LINE
- E = EAST
- E/V = EASTERLY
- (M) = MEASURED DISTANCE
- N = NORTH
- N/W = NORTH-WESTERLY
- (R) = RECORD DISTANCE
- S = SOUTH
- S/W = SOUTHERLY
- W = WEST
- W/W = WESTERLY

### LINE TYPE LEGEND

- BUILDING SETBACK = [Solid line]
- EASEMENT = [Dashed line]
- CROSS-HATCHED AREA REPRESENTS CORPORATE LIMITS OF THE VILLAGE OF DOWNERS GROVE.



LAND AREA	
LOT 1 17,219 SQ. FT. 0.39 AC.	LOT 2 16,011 SQ. FT. 0.37 AC.
AREA IN RIGHT OF WAY (R.O.W.) 6,614 SQ. FT. 0.21 AC.	



#### VILLAGE COUNCIL CERTIFICATE

STATE OF ILLINOIS ) SS  
COUNTY OF DUPAGE )

THE ANNEXED PROPERTY SHOWN HEREON PLAT OF ANNEXATION IS IDENTIFIED AS THAT INCORPORATED AND MADE A PART OF THE VILLAGE OF DOWNERS GROVE BY ORDINANCE NO. \_\_\_\_\_ AND ADOPTED BY THE COUNCIL OF SAID VILLAGE

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_

MAYOR \_\_\_\_\_

VILLAGE CLERK \_\_\_\_\_

#### COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS ) SS  
COUNTY OF DUPAGE )

THIS INSTRUMENT NO. \_\_\_\_\_ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS.

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_

AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_

DUPAGE COUNTY RECORDER OF DEEDS \_\_\_\_\_

#### SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS ) SS  
COUNTY OF KANE )

IT IS TO BE STATED THAT I, JIANFENG HUA, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 4071, HEREBY CERTIFY THAT I HAVE PREPARED THIS PLAT FROM EXISTING PLATS AND RECORDS FOR THE PURPOSE OF ANNEXATION TO THE VILLAGE OF DOWNERS GROVE.

GIVEN UNDER OUR HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_ AT MONTICOMERY, ILLINOIS.

RIKDELINE CONSULTANTS LLC

JIANFENG HUA, PLS 84271  
MY LICENSE EXPIRES 11-30-2022  
ILLINOIS PROFESSIONAL DESIGN FIRM NUMBER 164-264766

DATE	TIME	BY	PROJECT
06/08/2022	10:30	SAHAEL AHMED	2021-0032

Ridgeline Consultants LLC  
1011 FARM ROAD, DOWNERS GROVE, IL 60015  
Phone: 630.941.1111, Fax: 630.941.1100, Email: info@ridgeline.com



SAHAEL AHMED  
3859 DOUGLAS ROAD  
DOWNERS GROVE, ILLINOIS

SHEET 1 OF 1







DRAFT

**VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING****July 11, 2022, 7:00 P.M.**

**FILE 22-PLC-0015: A PETITION SEEKING ANNEXATION AND REZONING FROM R-1, RESIDENTIAL DETACHED HOUSE 1, R-2, RESIDENTIAL DETACHED HOUSE 2. THE PROPERTY WILL BE ANNEXED WITH THE DEFAULT ZONING OF R-1, RESIDENTIAL DETACHED HOUSE 1. THE PROPERTY IS LOCATED AT THE NORTHEAST INTERSECTION OF 39<sup>TH</sup> STREET AND DOUGLAS ROAD, COMMONLY KNOWN AS 3859 DOUGLAS ROAD, DOWNERS GROVE, IL (PINS: 06-32-415-034 AND 06-32-415-035). SUHAEL & SUMAIRA AHMED, OWNER AND PETITIONER.**

Petitioner, Suhael Ahmed, Naperville, Illinois, stated he appreciated the opportunity to present the petition. He noted that they had purchased the lot about a year ago and subdivided the lot into two lots. Mr. Ahmed explained that the property was located at the northeast corner of 39<sup>th</sup> Street and Douglas in unincorporated DuPage County and was zoned R4. Currently, the lots are empty and Mr. Ahmed explained that if the lots remained vacant this could become a hazard for the community. Next, the petitioner explained that a rezoning from R-1 to R-2 upon annexation was appropriate because of the existing R-2 zoning for nearby parcels. Mr. Ahmed noted that by annexing and rezoning the property, future construction on the lot would enhance the value of adjacent properties and increase property taxes. The petitioner concluded by stating that the construction of a new home would meet the future land use plan.

Chairman Rickard invited for any additional public comment. No additional public comment was received. Staff was invited to present.

Ms. Flora Leon, Senior Planner, summarized the request stating that the petitioner is requesting approval for a zoning map amendment. She provided a location map and noted that the subject property was located at the northeast intersection of 39<sup>th</sup> Street and Douglas Road. Ms. Leon provided photos of the existing conditions and stated that demolition of the previous residential structure had already occurred with the proper permits. She then shared a photo of the public hearing sign that was posted and noted that two phone calls were received inquiring more information about the petition. Ms. Leon provided a location map and highlighted the municipal boundary.

Ms. Leon then explained that upon annexation of the parcel, the property would come into the Village with a default zoning of R-1. Ms. Leon reminded the commission that the request in front of the Plan Commission was only for the zoning map amendment. She then provided the criteria for the zoning map amendment and noted that staff believed the criteria had been met. If the board agreed Ms. Leon indicated that a draft motion could be found on page 37 of the agenda for the board's review.

Chairman Rickard asked if the agenda packet had a typo and asked staff to confirm the rezoning was from R-1 to R-2. Planning Manager Zawila confirmed that was correct.



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Commissioner Boyle asked if there was another home being proposed on Lot 2. Ms. Leon explained that the rezoning would apply to both Lot 1 and Lot 2. As such the R-2 bulk regulations would need to be met by both lots.

Chairman Rickard asked if the only items under review were the Annexation request and the Rezoning not any construction on the lots. Ms. Leon noted that the only request under the purview of the Plan Commission was the Zoning Map Amendment.

Commissioner Rector asked if Lot 2 was only 10,000 SF. Ms. Leon confirmed that was correct and noted that the area was substandard. However the original lot, included both lots, and this had been subdivided with the County already. The subdivision met the standards of the County not the Village standards since the property is currently unincorporated.

Chairman Rickard invited the petitioner to provide any closing statements.

Mr. Ahmed thanked staff for their assistance with the petition. He then explained that when the lots were subdivided with the County that was approved because the dimension met their subdivision standards.

Chairman Rickard entertained a motion

**WITH RESPECT TO FILE 22-PLC-0015 AND BASED ON THE PETITIONER'S SUBMITTAL, THE STAFF REPORT, AND THE TESTIMONY PRESENTED, COMMISSIONER RECTOR MADE A MOTION THAT THE PETITIONER HAS MET THE STANDARDS OF APPROVAL FOR THE ZONING MAP AMENDMENT AS REQUIRED BY THE VILLAGE OF DOWNERS GROVE ZONING ORDINANCE AND IS IN THE PUBLIC INTEREST AND THEREFORE, I MOVE THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF 22-PLC-0015, SUBJECT TO THE CONDITIONA THAT A SIDEWALK FEE PER CHAPTER 19 WILL BE ASSESSED IN THE AMOUNT OF \$4,125.00**

**SECOND BY COMMISSIONER TOTH. ROLL CALL:**

**AYE: COMMISSIONERS RECTOR, BOYLE, TOTH, ROCHE, PATEL, AND CHAIRMAN RICKARD**

**NAY: NONE**

**MOTION PASSED. VOTE: 6-0**

/s/ Village Staff  
Recording Secretary  
(As transcribed by MP-3 audio)