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January 31, 2013

Tim Hejny  
C.M. Lavoie & Associates, Inc.  
1050 West Route 126  
Plainfield, IL 60544

**RE: PC 42-12 Sheltered Care Facility (715-817 63<sup>rd</sup> Street)**

Dear Mr. Hejny:

At the January 28, 2013 Plan Commission meeting, a concern was raised about a private restriction on the plat of subdivision for Downers Grove Meadow Lawn Unit Two (see attached plat). Three of the parcels included in above-mentioned case are part of this subdivision (Lots 30, 31 and portions of Lot 34). After reviewing the plat, it appears there is a restriction that limits lots in the subdivision to only single family residence buildings.

Section 28.200(b) of the Downers Grove Zoning Ordinance specifically states that:

Except as otherwise provided, where the conditions imposed by any provision of this Zoning Ordinance are either more restrictive or less restrictive than conditions imposed by any other provision of this Zoning Ordinance, or any other law, ordinance, resolution, rule or regulation of any kind, the regulations which are more restrictive (or which impose higher standards or requirements) shall govern. Specific provisions contained herein shall control over more general provisions. This Zoning Ordinance is not intended to abrogate any easement, covenant, or any other private agreement that imposes standards or requirements that are more restrictive than that required in this Zoning Ordinance.

As such, the Village of Downers Grove is prohibited from taking any further action on this application until such time that documentation is produced that the issue regarding this restriction is resolved. Please be advised that the Plan Commission continued the public hearing to February 25, 2013. Documentation that the issue is resolved shall be submitted no later than **February 11, 2013** to re-open the hearing on February 25, 2013.

If documentation resolving this issue is not submitted to the Village by February 11, 2013, the hearing will be cancelled and re-noticed for a date upon receipt of the documentation. Please be advised that the new hearing must be commenced within 90 days if the application does not proceed on February 25, 2013 pursuant to Sections 28.1606 and 28.1901 of the Zoning Ordinance and Section 20.505 of the Subdivision Control Ordinance. Failure to re-start the hearings within 90 days may result in automatic denial of the application pursuant to Section 28.308 of the Zoning Ordinance and Section 20.203 of the Subdivision Control Ordinance.

Please do not hesitate to contact me if you have questions at 630.434.5520 or email at [jobrien@downers.us](mailto:jobrien@downers.us).

Sincerely,  
THE VILLAGE OF DOWNERS GROVE

Jeff O'Brien, AICP  
Planning Manager  
Community Development Department

**COMMUNITY RESPONSE  
CENTER**

630.434.CALL (2255)

**CIVIC CENTER**

801 Burlington Avenue

Downers Grove

Illinois 60515-4782

630.434.5500

TDD 630.434.5511

FAX 630.434.5571

**FIRE DEPARTMENT**

**ADMINISTRATION**

5420 Main Street

Downers Grove

Illinois 60515-4834

630.434.5980

FAX 630.434.5998

**POLICE DEPARTMENT**

825 Burlington Avenue

Downers Grove

Illinois 60515-4783

630.434.5600

FAX 630.434.5690

**PUBLIC WORKS**

**DEPARTMENT**

5101 Walnut Avenue

Downers Grove

Illinois 60515-4046

630.434.5460

FAX 630.434.5495

# Downers Grove Meadow Lawn Unit Two

BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20 TOWNSHIP 38 NORTH RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN DOWNERS GROVE TOWNSHIP DU PAGE COUNTY ILLINOIS.

STATE OF ILLINOIS )  
 COUNTY OF DU PAGE ) ss. This instrument, No. 648841  
 was filed for record in the Recorder's Office of Du Page County, aforesaid, on the 10th day of APRIL, A. D. 1951 at 9:00 o'clock A.M. and was recorded in Book 29 of Plates on Page 229

STATE OF ILLINOIS )  
 COUNTY OF DU PAGE ) ss. APPROVED, by the  
 DU PAGE COUNTY ZONING COMMITTEE, this 11  
 day of December, A. D. 1951.

STATE OF ILLINOIS )  
 COUNTY OF DU PAGE ) ss. APPROVED, by the  
 DU PAGE COUNTY HEALTH DEPARTMENT, this 11 day  
 of December, A. D. 1951.

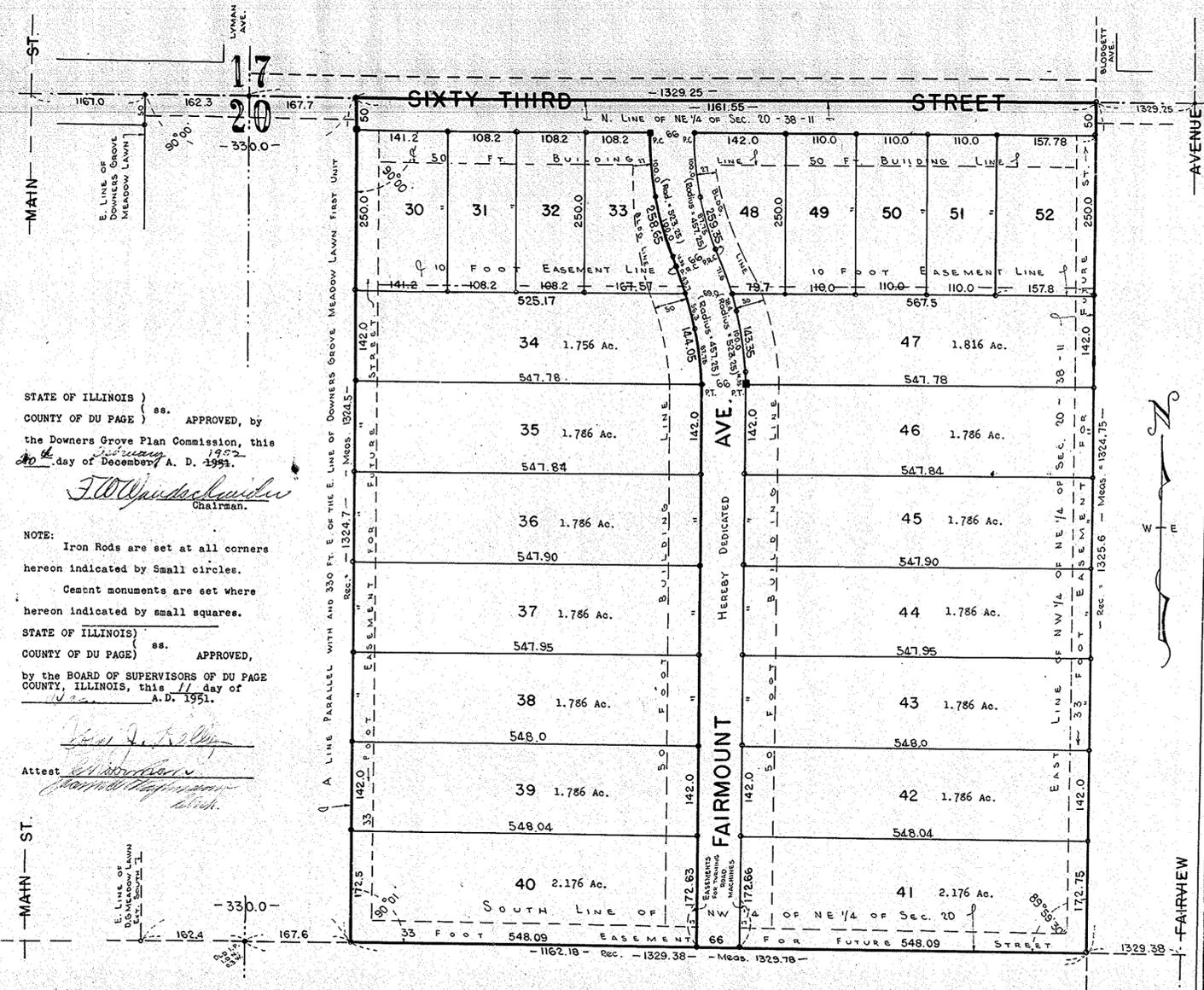
*Lawrence Hattendorf*  
 Recorder

*James J. ...*  
 Chairman

*Sanitary Engineer*  
 Sanitary Engineer

**RESTRICTIONS**

ALL LOTS IN THIS SUBDIVISION ARE RESTRICTED TO SINGLE FAMILY RESIDENCE BUILDINGS. ALL BUILDINGS SHALL BE BUILT OF NEW MATERIAL. THE MAIN RESIDENCE BUILDING ERECTED SHALL HAVE A FLOOR AREA OF 825 SQ. FT. OR MORE IF A ONE STORY STRUCTURE. IF A TWO STORY STRUCTURE, THEN GARAGE AND BREEZE-WAY MAY BE INCLUDED IN SAID MINIMUM FLOOR AREA. NO CONCRETE BLOCKS, IMITATION STONE, IMITATION BRICKS OR STONE COMPOSITION SHALL BE USED ON THE EXTERIOR OF ANY BUILDING. THE EXTERIOR WALLS OF ALL BUILDINGS SHALL BE OF BRICK, STONE, WOOD OR ASBESTOS SHINGLES. NO ACCESSORY BUILDINGS SHALL BE ERECTED PRIOR TO THE MAIN RESIDENCE BUILDING. NO ROLLED ROOFING SHALL BE USED. COMPOSITION SHINGLES OR BETTER SHALL BE USED FOR ROOFING.



STATE OF ILLINOIS )  
 COUNTY OF DU PAGE ) ss. APPROVED, by  
 the Downers Grove Plan Commission, this  
10 day of December, A. D. 1951.

*Chairman*  
 Chairman

NOTE: Iron Rods are set at all corners hereon indicated by small circles. Cement monuments are set where hereon indicated by small squares.

STATE OF ILLINOIS )  
 COUNTY OF DU PAGE ) ss. APPROVED,  
 by the BOARD OF SUPERVISORS OF DU PAGE COUNTY, ILLINOIS, this 11 day of December, A. D. 1951.

Attest  
*Notary Public*  
 Notary Public



STATE OF ILLINOIS )  
 COUNTY OF DU PAGE ) ss. This is to certify that I, Harold F. Steinbrecher, an Illinois Land Surveyor, have surveyed and subdivided that part of the Northwest quarter of the Northeast quarter of Section 20 lying East of a straight line drawn across said Northwest quarter of the Northeast quarter 330.0 feet East of and parallel with the East line (and said East line extended South) of Downers Grove Meadow Lawn, (first unit) a subdivision recorded July 11th 1951 as Document 628245, all in Township 38 North, Range 11 East of the Third Principal Meridian in Du Page County, Illinois, as shown on the annexed plat which is a correct representation of said survey. All distances are in feet and decimal parts thereof. Scale of map is 100 feet to one inch  
 HAROLD F. STEINBRECHER  
 CIVIL ENGINEER AND  
 ILLINOIS LAND SURVEYOR  
 WHEATON, ILLINOIS.

REDUCED 30%

*Harold F. Steinbrecher*  
 Illinois Land Surveyor Certificate 113.

STATE OF ILLINOIS )  
 COUNTY OF COOK ) ss. This is to certify that we, LILLIAN M. BUZEK and FRANK J. BUZEK, are the owners of the land described above and have caused the same to be surveyed, subdivided and platted as shown on the annexed plat for the uses and purposes therein set forth and we hereby acknowledge and adopt the same under the style and title hereon shown.  
 Dated this 10 day of December, A. D. 1951.

*Lillian M. Buzek and Frank J. Buzek*  
 Owners.



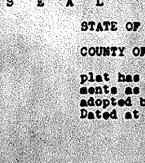
STATE OF ILLINOIS )  
 COUNTY OF DU PAGE ) ss. I, *Clarence V. Wagemann*, a Notary Public in and for said County, in the State aforesaid, do hereby certify that the above owners, Lillian M. Buzek and Frank J. Buzek, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such owners, appeared before me this day in person and acknowledged that they signed and delivered the annexed plat as their own free and voluntary act, for the uses and purposes therein set forth.  
 Given under my hand and Notarial Seal this 10 day of December, A. D. 1951.

*Clarence V. Wagemann*  
 Notary Public.



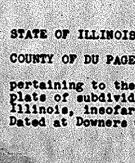
STATE OF ILLINOIS )  
 COUNTY OF DU PAGE ) ss. I, Clarence V. Wagemann, County Clerk of Du Page County, Illinois, do hereby certify that there are no delinquent general taxes, no unpaid current general taxes, no unpaid forfeited general taxes and no redeemable tax sales against any of the real estate included on the annexed plat.  
 I further certify that I have received all of the statutory fees in connection with the annexed plat.  
 Given under my hand and the Seal of the County Court at Wheaton, Illinois, this 10 day of December, A. D. 1951.

*Clarence V. Wagemann*  
 County Clerk.



STATE OF ILLINOIS )  
 COUNTY OF DU PAGE ) ss. I, O. B. Dold, County Superintendent of Highways, of said County, do hereby certify that the annexed plat has been examined by me and found to comply with the Highway requirements as set forth in the regulations governing plats of subdivided lands adopted by the Board of Supervisors of Du Page County, Illinois.  
 Dated at Wheaton, Illinois, this 11 day of December, A. D. 1951.

*O. B. Dold*  
 County Superintendent of Highways.



STATE OF ILLINOIS )  
 COUNTY OF DU PAGE ) ss. I, *Pauline B. ...*, Commissioner of Highways of Downers Grove Township, do hereby certify that all matters pertaining to the highway requirements as prescribed in the regulations governing plats of subdivided lands adopted by the Board of Supervisors of Du Page County, Illinois, insofar as they pertain to the annexed plat have been complied with.  
 Dated at Downers Grove, Illinois, this 10 day of December, A. D. 1951.

*Pauline B. ...*  
 Downers Grove Township Highway Commissioner