

COUNCIL WORKSHOP ITEM

ITEM: Annexation Petition – 6320 Fairview Ave., Downers Grove (MC-2-03)
DATE: May 9, 2003
PREPARED BY: Enza I. Petrarca, Village Attorney
PURPOSE: Review and Place on Active Agenda for Approval by Ordinance

DISCUSSION:

A petition for annexation has been submitted by the owners of the property located at 6320 Fairview Avenue, Downers Grove.

Pursuant to state statute, upon annexation to the Village this property will be automatically disconnected from the fire protection district in which it is now located, unless a timely objection is filed by such district in the circuit court. To trigger this disconnection, notice must be served upon the fire protection district specifying the date upon which the Village Council will first consider the annexation. This alerts the fire protection district regarding the pendency of the annexation and provides an opportunity for them to appear and object to the disconnection. Note: this does not require a "public hearing" or a final decision regarding annexation of the parcel. Rather, the Council must merely note that this annexation is pending at some point during the meeting specified in the notice.

A companion petition to rezone this property to the Village upon annexation is provided under separate cover by the Planning Department.

ATTACHMENT:

AN ORDINANCE ANNEXING 6320 FAIRVIEW AVENUE TO THE VILLAGE OF
DOWNERS GROVE, ILLINOIS

RECOMMENDATION:

It is requested that this matter be placed on the workshop agenda of May 13, 2003 for Council consideration.

cc: Rick Ginex, Village Manager
Amanda Browne, Planning
Arlene Balicki, Admin. Tech. III

ORDINANCE NO. _____

**AN ORDINANCE ANNEXING 6320 FAIRVIEW AVENUE
TO THE VILLAGE OF DOWNERS GROVE, ILLINOIS**

WHEREAS, there have been filed with the Clerk of the Village of Downers Grove, in DuPage County, Illinois, a verified petition requesting annexation to said Village of 6320 Fairview Avenue, located on the west side of Fairview Avenue approximately 217 feet south of 63rd Street, as hereinafter described and hereafter referred to as the "Territory"; and

WHEREAS, it appears that the owner or owners of record of each parcel of land within the Territory and at least fifty-one percent (51%) of the electors, if any, residing therein, have joined in said petition; and

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

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:

The south 143.15 feet of the north 393.15 feet of the East Half of the East Half of the Northeast Quarter of the Northeast Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian, in DuPage County, Illinois

Commonly known as 6320 Fairview Avenue, Downers Grove, IL 60516 (PIN 09-20-209-007)

SECTION 2. 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 3. All ordinances or resolutions, or parts thereof, in conflict with the provisions of this ordinance be and are hereby repealed.

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

Mayor

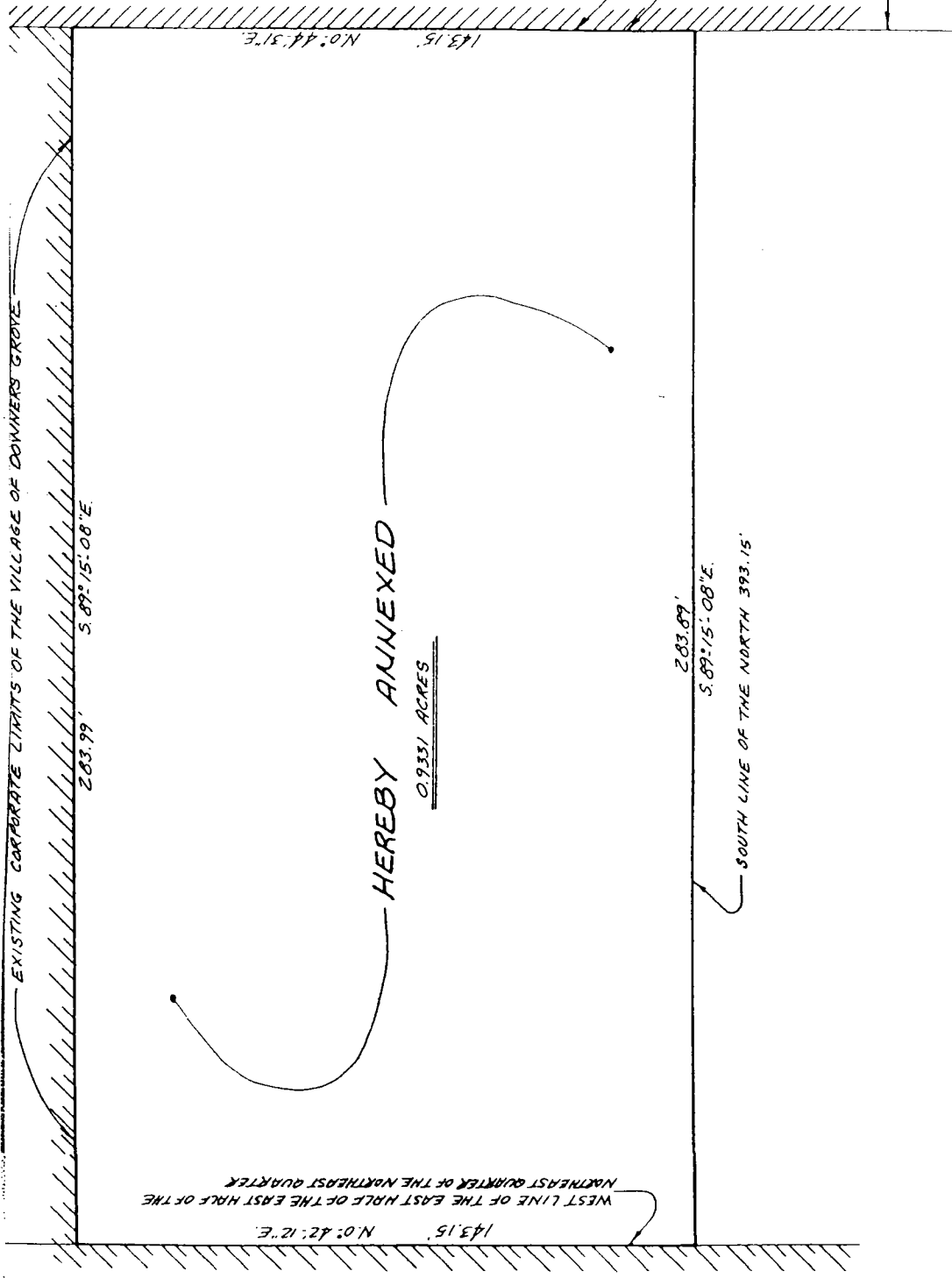
Passed:

Published:

Attest: _____

Village Clerk

PLAT OF ANNEXATION TO THE VILLAGE OF DOWNERS GROVE



EXISTING CORPORATE LIMITS OF THE VILLAGE OF DOWNERS GROVE
AND THE VILLAGE OF WESTMONT
BOUNDARY AGREEMENT LINE BETWEEN THE VILLAGE OF DOWNERS
AND THE VILLAGE OF WESTMONT

↑ NORTH

30.2.2M

FAIRVIEW AVENUE

50'

263.99' S. 89° 15' 08" E.

263.99'

HEREBY ANNEXED
0.9331 ACRES

263.69' S. 89° 15' 08" E.
SOUTH LINE OF THE NORTH 393.15'

WEST LINE OF THE EAST HALF OF THE
NORTHEAST QUARTER OF THE NORTHEAST QUARTER
143.15' N. 0° 42' 12" E.

143.15' N. 0° 44' 31" E.

COUNCIL WORKSHOP ITEM

ITEM: Zoning Board of Appeals File No. MC-2-03
DATE: May 6, 2003
PREPARED BY: Kenneth J. Rathje, Director Planning Services
PURPOSE: Obtain approval for rezoning of property from County R-4, Single Family Residential to Village R-5A, Townhouse Residential, upon annexation

DISCUSSION:

At its March 26, 2003 meeting, the Zoning Board of Appeals made a unanimous recommendation to approve the petitioner's request to rezone the subject property from Country R-4 to Village R-5A, upon annexation. The property is located on the west side of Fairview Avenue, approximately 217 feet south of 63rd Street and is commonly known as 6320 Fairview Avenue. The Board based its recommendation upon the fact that the proposed rezoning was appropriate to the surrounding area and will permit development of the subject property in a manner that will be complimentary to the adjacent commercial and residential land uses.

ATTACHMENT:

1. Correspondence from Zoning Board of Appeals Chairman dated April 21, 2003
2. Draft Minutes of Zoning Board of Appeals Public Hearing dated March 26, 2003
3. Staff Findings with Attachments dated March 19, 2003
4. Draft Ordinances prepared by Legal Department to annex and rezone the subject property to R-5A, Townhouse Residential

RECOMMENDATION:

Approval of an Ordinance rezoning the subject property to Village R-5A, townhouse residential, upon annexation.



Village of
DOWNERS GROVE
ILLINOIS

Civic Center
801 Burlington Avenue
Downers Grove
Illinois 60515-4776
630.434.5500
TDD 630.434.5511
FAX 630.434.5571

CBD Redevelopment Office
1015 Curtiss Street
Downers Grove
Illinois 60515
630.434.5940
FAX 630.968.6346

*Fire Department
Administration*
3900 Highland Avenue
Downers Grove
Illinois 60515-1506
630.434.5980
FAX 630.434.5988

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 60515-4074
630.434.5460
FAX 630.434.5495

*Department of
Social & Health Services*
842 Curtiss Street
Downers Grove
Illinois 60515-4761
630.434.5595
FAX 630.434.5599

*Village of
Downers Grove Web site*

<http://www.vil.downers-grove.il.us>

Info Line
630.434.6800

April 21, 2003

Mayor Brian Krajewski and Village Council
Village of Downers Grove
801 Burlington Avenue
Downers Grove, IL 60515

RE: MC-2-03 A petition seeking rezoning upon annexation from County R-4, Single Family Residential to Village R-5A, Townhouse Residential. The property is located on the west side of Fairview Avenue approximately 217 feet south of 63rd Street, commonly known as 6320 Fairview Avenue, Downers Grove, IL (PIN 09-20-209-007); Ronald A. Sievers, Owner; James F. Russ, Attorney/Petitioner.

Dear Mayor Krajewski and Village Council:

At its March 26, 2003 meeting, the Zoning Board of Appeals made the following recommendation in Case MC-2-03:

Mr. Lukas moved that in Case MC-2-03, the Board recommend that the Village Council approve the requested rezoning upon annexation from County R-4 to Village R-5A townhouse residential zoning for the subject property. Mr. Domijan seconded the Motion.

AYES: Mr. Lukas, Mr. Domijan, Mr. Baker, Mr. Gray, Mr. Sleeter, Ch. White

NAYS: None

The Motion carried 6:0.

The Board based it's unanimous recommendation upon the belief that the proposed rezoning is appropriate to the surrounding area and will permit development of the subject property in a manner that will be complimentary to the adjacent commercial and residential land uses.

Sincerely,

William White,
Chairman
WW/tmh

MC-2-03 A petition seeking rezoning upon annexation from County R-4, Single Family Residential to Village R-5A, Townhouse Residential. The property is located on the west side of Fairview Avenue approximately 217 feet south of 63rd Street, commonly known as 6320 Fairview Avenue, Downers Grove, IL (PIN 09-20-209-007); Ronald A. Sievers, Owner; James F. Russ, Attorney/Petitioner

LEGAL NOTICE: VILLAGE OF DOWNERS GROVE NOTICE OF PUBLIC HEARING

– Notice is hereby given that a public hearing will be held by the Zoning Board of Appeals at 7:30 p.m. on Wednesday, March 26, 2003 in the Council Chambers of the Village Hall, 801 Burlington Avenue, Downers Grove, Illinois, on a petition seeking rezoning upon annexation from County R-4, Single Family Residential to Village R-5A, Townhouse Residential. The property is located on the west side of Fairview Avenue approximately 217 feet south of 63rd Street, commonly known as 6320 Fairview Avenue, Downers Grove, IL (PIN 09-20-209-007) and is legally described as follows:

The south 143.15 feet of the north 393.15 feet of the East Half of the East Half of the Northeast Quarter of the Northeast Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian, in DuPage County, Illinois, commonly known as 6320 Fairview Avenue, Downers Grove, IL (PIN 09-20-209-007).

Individuals with a disability requiring a reasonable accommodation in order to participate in any meeting should contact the Public Information Office (630) 434-5550 prior to the meeting. Wheelchair access may be gained through the side (south) entrance of the Village Hall. All interested persons should attend this hearing and will be given an opportunity to be heard. The hearing may be continued from time to time without further public notice. Zoning Board of Appeals, William White, Chairman. Published in the Downers Grove Reporter, Friday, March 7, 2003.

Petitioner's Presentation:

Mr. James Russ, attorney with Wiedel, Hudzik, Russ & Philip with offices at 4915 Main Street, stated he represented the petitioner in this case concerning the property west of Fairview, south of 63rd Street. Mr. Russ said a petition was brought before the Board in December of 2001 seeking B-2 zoning for the subject property. The Zoning Board of Appeals sent a positive recommendation to the Village Council; however, the Village Council voted to deny the rezoning at that time. The present

petition before the Board seeks to obtain R-5A Townhouse Residential zoning for the property.

Mr. Russ said the property is surrounded with R-3 zoning to the west, B-2 zoning to the north, County R-4 zoning to the south, and Westmont B-2 zoning to the east. The Village's Future Land Use Plan shows the property as residential at 0-6 dwelling units per acre, which is consistent with R-1 through R-4 zoning. However, those designations do not allow for townhome development.

Mr. Russ said that the petitioner is proposing a single townhome building with approximately five units, which is allowed in the R-5A zoning district. He said that based upon the comments of the neighbors during the previous public hearing, the petitioner believes this would be a reasonable transition between the business community to the north and the residential community to the south and west.

Mr. Russ said that the petitioner has spoken with Mr. Shezadk Bandukwala, spokesman for the property owners to the west of the property. Mr. Bandukwala indicated that in his conversations with the neighbors there appears to be no objection to the proposed development. They have requested, however, to be consulted regarding the type of screening, fencing, berming or landscaping on the south and west ends of the property. The petitioner is willing to cooperate with the neighbors and take their input into consideration.

Mr. Russ said that the petitioner believes the townhome development would be a good use for the area based upon its current development, and they are requesting a positive recommendation from the Board to the Village Council.

Mr. Gray asked how many stories high the building will be, and Mr. Russ said it would be a two story building, with one curb cut onto Fairview Avenue. Vehicles would access from the front of the building, and there will be no parking available across the back of the building. The area to the rear of the building would simply be a back yard.

Mr. Sleeter asked for confirmation as to the size of the parcel as there appears to be a discrepancy with the material distributed. Mr. Russ responded that it is approximately 40,646 square feet which he believes is 9/10th of an acre. Mr. Rathje said that on the plat of annexation the site is shown as 0.9331 acres, which equals 40,646 square feet. In further response to Mr. Sleeter, Mr. Russ said that there would be five

units in one building. Based upon the preliminary working site plan, all required setbacks and side or front yards will be met by the petitioner.

There being no further questions from the Board, Chairman White asked Mr. Rathje to make the Staff's presentation.

Staff's Presentation:

Mr. Kenneth Rathje, Director of Planning for the Village, stated that in late 2001 the petitioner applied for rezoning upon annexation of the subject property which is located on the west side of Fairview Avenue approximately 217 feet south of the south line of 63rd Street. The petitioner requested that the subject property be rezoned from County R-4, single family residential to Village B-2, General Retail Business. The B-2 zoning was sought as the petitioner desired to construct a relatively small office building on the site.

Mr. Rathje said the Board heard the petitioner's request under file MC-12-01 at the ZBA meeting of December 5, 2001. A positive recommendation from the Board on a split vote was subsequently forwarded to the Village Council. Following discussion at several Village Council workshop meetings, on May 7, 2002 the Village Council unanimously voted that the petitioner's request for B-2 zoning upon annexation be denied.

Mr. Rathje explained that the petitioner has recently advised that his company has reconsidered the development approach for the subject property and is now requesting that the subject property be rezoned from its present County R-4, single family residential zoning to Village R-5A Attached Single Family Residence District, upon annexation.

Mr. Rathje described the subject property as having a width of 143.15 feet, a depth that ranges between 283.99 feet as measured on the north and 283.89 feet as measured on the south with an area of approximately 40,646 square feet or 0.9331 acres. Until 2001, the property had been improved with a single-family residence. The petitioner had the residence razed as it had become blighted and had become a visual, if not also a physical nuisance.

Mr. Rathje noted that the subject property fronts on Fairview Avenue which is classified on the Village's Future Land Use Plan as a Minor Arterial roadway. This section of Fairview was improved several years ago by the Village as a three-lane cross section that includes one lane

each for northbound and southbound traffic and a center lane for left turns. This improvement widens near the north end of the subject property to accommodate the Fairview Avenue and 63rd Street intersection.

The subject property is shown on the Village's Future Land Use Plan with a land use designation of 0-6 dwelling units per acre. This land use designation is comparable to the Village's R-1 through R-4, single family residential zoning districts.

Mr. Rathje indicated that although the Village's Future Land Use Plan has designated the subject property with 0-6 dwelling units per acre, this parcel's location places it in somewhat of a transitional location. More specifically, the land to the north of the subject property is zoned Village B-2 and is improved with a commercial plaza which includes a video rental business and a pizza restaurant. To the east of the subject property between the south line of 63rd Street and a point approximately 494 feet southerly thereof, the property is zoned Westmont B-2. This area is developed with several commercial uses including a retail business plaza, a bank with drive-through banking lanes and an animal hospital that specializes in the care of cats. He further noted that the commercial area to the east of the subject property extends to a point approximately 134 feet south of the south line of the subject property. To the west of the subject property is an area of improved single family residential lots zoned Village R-3 and to the south of the subject property are a series of lots similar in size to the subject property which are zoned County R-4, single family residential.

Mr. Rathje said that the petitioner has indicated his company's interest to construct one townhouse structure on the property in a manner that would be consistent with the requirements of the requested R-5A zoning district. Uses permitted under the R-5A zoning district include single family detached residences, two family dwellings and attached single family residential dwelling units commonly known as townhouses.

With respect to townhouses, Mr. Rathje said the Zoning Ordinance permits a maximum density of one dwelling unit per 4,000 square feet of land area. With respect to yard requirements, the Zoning Ordinance requires the following minimum yard requirements: front 25 feet, side 5 feet, and rear 20 feet with all yards being greater for dwellings greater than 20 feet in height as measured to the mid-point of the structure's roof. For buildings taller than 20 feet, side and rear yards must be increased by one foot for each foot of building height over 20 feet, while

front yards must be increased by one foot for each two feet of building height over 20 feet.

Mr. Rathje informed the Board that, in anticipation of making this petition to the Village, the developer has contacted a neighborhood representative to discuss the proposed rezoning and development. It has been reported by the petitioner's attorney in a letter included with the application documents that the neighbors appear to be in favor of the current development approach.

Mr. Rathje said that, although the proposed rezoning differs somewhat from what the Village's Future Land Use Plan anticipates for the subject property, the petitioner has requested that consideration be given to the transitional location of the subject property as well as to the zoning and the actual uses of the adjacent property within the Village of Downers Grove to the north and west, within the Village of Westmont to the east and of the unincorporated DuPage County lands to the south. Further, consideration should be given to the characteristics of Fairview Avenue adjacent to the subject property.

There being no questions from the Board at this time, Chairman White called for anyone in the audience who wished to speak either in favor of or in opposition to the petition. There being none, Chairman White closed the opportunity for further public comment.

Board Deliberation:

Mr. Sleeter commented that he remembered when the business use zoning came up for the video store property to the north of the subject property, fears were expressed by the public that the business use would continue to move further south on Fairview. He said if the presently requested zoning change were limited to just this one parcel, there could be a case made that this would be a reasonable transition from business zoning to residential zoning to the west and the south.

Chairman White noted that the Board previously recommended that the site be rezoned to B-2, which permits a much more intensive use than R-5A. He sees the R-5A zoning as a logical use and has no concerns for this proposal and no objection to recommending approval of the petition.

Mr. Sleeter added that if the neighbors are comfortable with this request, that should also be weighed in the decision.

Mr. Gray said that the petition seems to follow the regulations established by the Village, and he has no objection to it.

There being no further discussion, Chairman White called for a Motion.

Mr. Lukas moved that in Case MC-2-03, the Board recommend that the Village Council approve the requested rezoning upon annexation from County R-4 to Village R-5A townhouse residential zoning for the subject property. Mr. Domijan seconded the Motion.

AYES: Mr. Lukas, Mr. Domijan, Mr. Baker, Mr. Gray, Mr. Sleeter, Ch. White

NAYS: None

The Motion carried 6:0.

Chairman White commented again that in all of the petitions before the Board this evening, the Board is making a recommendation to the Village Council. The decisions are not final but must go to the Village Council for their final consideration.

MC-3-03 A petition seeking rezoning upon annexation from County R-4, Single Family Residential to Village R-3, Single Family Residential. The property is located on the west side of Fairview Avenue approximately 905 feet south of 63rd Street, commonly known as 6420 Fairview Avenue, Downers Grove, IL (PIN 09-20-209-026); Wei & Chung Wu, Owners; Oakwood Development Corporation, Petitioner.

LEGAL NOTICE: VILLAGE OF DOWNERS GROVE NOTICE OF PUBLIC HEARING – Notice is hereby given that a public hearing will be held by the Zoning Board of Appeals at 7:30 p.m. on Wednesday, March 26, 2003 in the Council Chambers of the Village Hall, 801 Burlington Avenue, Downers Grove, Illinois, on a petition seeking rezoning upon annexation from County R-4, Single-Family Residential to Village R-3, Single-Family Residential. The property is located on the west side of Fairview Avenue approximately 905 feet south of 63rd Street, commonly known as 6420 Fairview Avenue, Downers Grove, IL (PIN 09-20-209-026) and is legally described as follows:

The south 393.15 feet (except the south 145.15 feet) of the East Half of the East Half of the Northeast Quarter of the Northeast Quarter of Section 20, Township 38 North, Range 11 East of the

PUBLIC HEARING:

MC-2-03 A petition seeking rezoning upon annexation from County R-4, Single Family Residential to Village R-5A, Townhouse Residential. The property is located on the west side of Fairview Avenue approximately 217 feet south of 63rd Street, commonly known as 6320 Fairview Avenue, Downers Grove, IL (PIN 09-20-209-007); Ronald A. Sievers, Owner; James F. Russ, Attorney/Petitioner

FINDINGS:

1. In late 2001, the petitioner applied for the rezoning upon annexation of the subject property which is located on the west side of Fairview Avenue approximately 217 feet south of the south line of 63rd Street. The petitioner requested that the subject property be rezoned from County R-4, single family residential to Village B-2, General Retail Business. The B-2 zoning was sought as the petitioner desired to construct a relatively small office building on the site.

The Board heard the petitioner's request under file MC-12-01 at the ZBA meeting of December 5, 2001. A recommendation from the Board on a split vote was subsequently forwarded to the Village Council. Following discussion at several Village Council workshop meetings, on May 7, 2002 the Village Council unanimously voted that the petitioner's request for B-2 zoning upon annexation be denied.

The petitioner has recently advised that his company has reconsidered the development approach for the subject property and is now requesting that the subject property be rezoned from its present County R-4, single family residential zoning to Village R-5A Attached Single Family Residence District, upon annexation.

2. The subject property has a width of 143.15 feet, a depth that ranges between 283.99 feet as measured on the north and 283.89 feet as measured on the south with an area of approximately 40,646 square feet or 0.9331 acres. Until 2001, the property had been improved with a single family residence. The petitioner had the residence razed as it had become blighted and had become a visual, if not also a physical nuisance.
3. The subject property fronts on Fairview Avenue which is classified on the Village's Future Land Use Plan as a Minor Arterial roadway. This section of Fairview was improved several years ago by the Village as a three-lane cross section that includes one lane each for northbound and southbound traffic and a center lane for left turns. This improvement widens near the north end of the subject property to accommodate the Fairview Avenue and 63rd Street intersection.

4. The subject property is shown on the Village's Future Land Use Plan with a land use designation of 0-6 dwelling units per acre. This land use designation is comparable to the Village's R-1 through R-4, single family residential zoning districts.

Although the Village's Future Land Use Plan has the subject property designated as noted above, this parcel's location places it in somewhat of a transitional location. More specifically, the land to the north of the subject property is zoned Village B-2 and is improved with a commercial plaza which includes a video rental business and a pizza restaurant. To the east of the subject property between the south line of 63rd Street and a point approximately 494 feet southerly thereof, the property is zoned Westmont B-2. This area is developed with several commercial uses including a retail business plaza, a bank with drive-through banking lanes and an animal hospital that specializes in the care of cats. It may be of interest to note that the commercial area to the east of the subject property extends to a point approximately 134 feet south of the south line of the subject property. To the west of the subject property is an area of improved single family residential lots zoned Village R-3 and to the south of the subject property are a series lots similar in size to the subject property which are zoned County R-4, single family residential.

5. The petitioner has indicated that it is his company's interest to construct one townhouse structure on the property. It is the petitioner's intention to develop the site and to construct the townhouse structure in a manner that would be consistent with the requirements of the requested R-5A zoning district. Uses permitted under the R-5A zoning district includes single family detached residences, two family dwellings and attached single family residential dwelling units (townhouses). With respect to attached single family residential dwelling units (townhouses), the Zoning Ordinance permits a maximum density of one dwelling unit per 4,000 square feet of land area. With respect to yard requirements, the Zoning Ordinance requires minimum yard requirements as follows: front 25 feet, side 5 feet, and rear 20 feet with all yards being greater for dwellings greater than 20 feet in height as measured to the mid-point of the structure's roof. For buildings taller than 20 feet, side and rear yards must be increased by one foot for each foot of building height over 20 feet, while front yards must be increased by one foot for each two feet of building height over 20 feet.

In anticipation of making this petition to the Village, the developer has made contact with a neighborhood representative to discuss the proposed rezoning and development. It has been reported by the petitioner's attorney in the accompanying letter that the neighbors appear to be in favor of the current development approach.

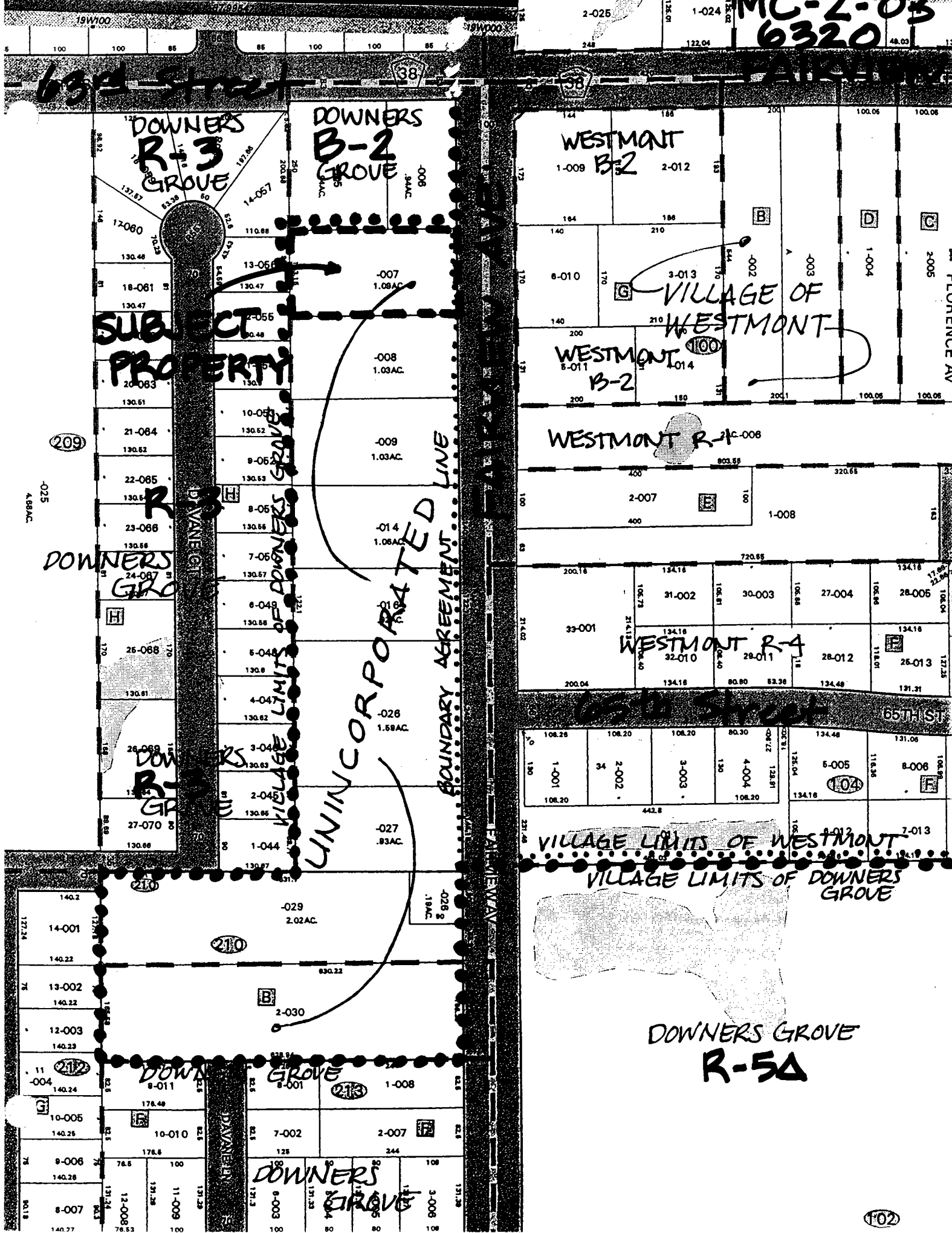
CONCLUSION:

The petitioner is seeking approval of a rezoning petition which seeks to have the subject property designated to Village R-5A Attached Single Family Residence District, upon annexation.

Although the proposed rezoning differs somewhat from what the Village's Future Land Use Plan anticipates for the subject property, the petitioner has requested that consideration be given to the transitional location of the subject property as well as to the zoning and the actual uses of the adjacent property within the Village of Downers Grove to the north and west, within the Village of Westmont to the east and of the unincorporated DuPage County lands to the south. Further, consideration should be given to the characteristics of Fairview Avenue adjacent to the subject property.

KJR:amd
Attachments
03/19/03

MC-2-03
6320



SUBJECT PROPERTY

UNINCORPORATED LINE
BOUNDARY AGREEMENT LINE

VILLAGE OF WESTMONT

DOWNERS GROVE
R-5A



PLAT OF SURVEY

OF:
THE SOUTH 143.15 FEET OF THE NORTH 393.15 FEET OF THE EAST HALF OF THE NORTHEAST QUARTER
OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN
DUPAGE COUNTY, ILLINOIS.

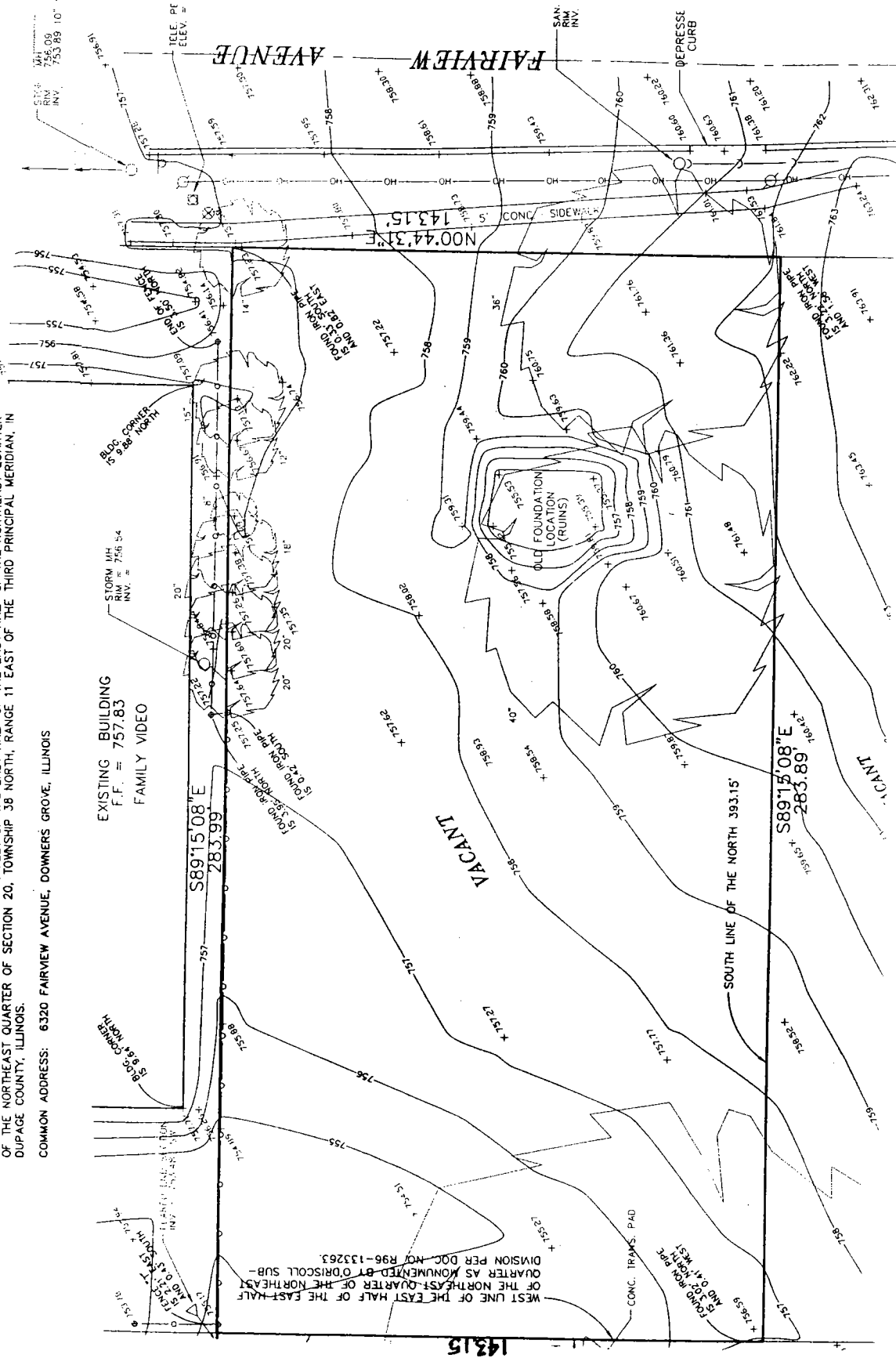
COMMON ADDRESS: 6320 FAIRVIEW AVENUE, DOWNERS GROVE, ILLINOIS

EXISTING BUILDING
F.F. = 757.83
FAMILY VIDEO

BLOC CORNER
S 88° 08' 00" NORTH

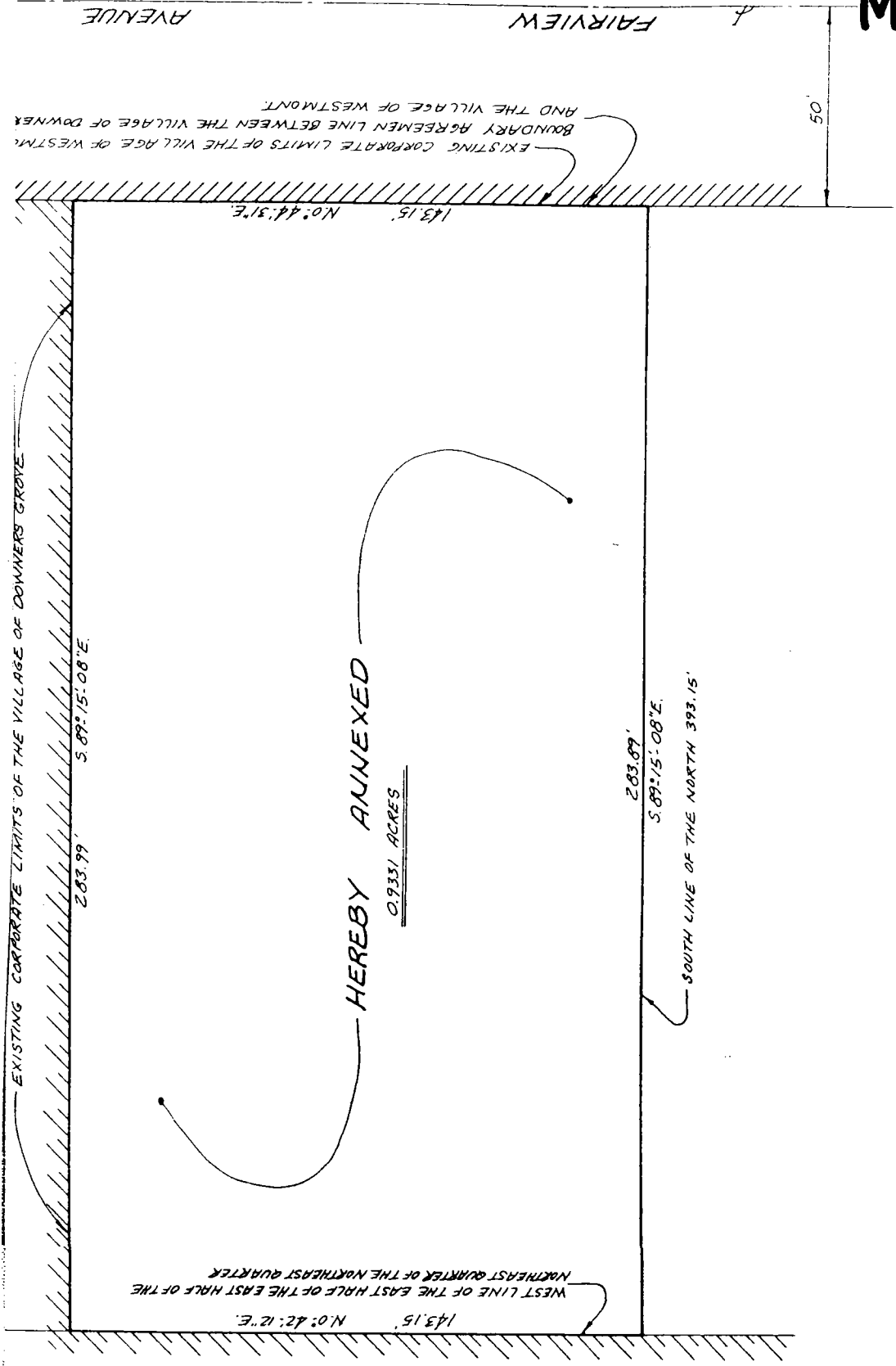
STORM MH
S 88° 08' 00" NORTH
RIM = 756.54
INV. =

WEST LINE OF THE EAST HALF OF THE NORTHEAST
QUARTER AS MONUMENTED BY DRISCOLL SUB-
DIVISION PER DOC. NO. R96-133263.



143.15

FLAT OF ANNEXATION TO THE VILLAGE OF DOWNERS GROVE



EXISTING CORPORATE LIMITS OF THE VILLAGE OF WESTMONT AND THE VILLAGE OF WESTMONT BOUNDARY AGREEMENT LINE BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE VILLAGE OF WESTMONT

↑ NORTH

30.2.2M

WIEDEL, HUDZIK, RUSS & PHILIPP

A Partnership of Professional Corporations
Attorneys & Counselors
4915 Main Street
P.O. Box 578
Downers Grove, Illinois 60515

Michael C. Wiedel, P.C.
Richard F. Hudzik, P.C.
James F. Russ, Jr., P.C.†
Michael G. Philipp, P.C.

Beth A. Indelicato*

Telephone 630/969-2300
Fax 630/969-1342

March 14, 2003

†Also Licensed in Wisconsin
*Also Licensed in California

Mr. William White, Chairman
Downers Grove Zoning Board of Appeal
Village of Downers Grove
801 Burlington Avenue
Downers Grove, IL 60515

Dear Chairman White and Zoning Board of Appeals Members:

Attached is the Petition of Ronald A. Sievers for the rezoning of property located at approximately 63rd Street and Fairview Avenue. This property is immediately south of the Family Home Video property on the west side of Fairview Avenue, south of 63rd Street. You may recall that this property was the subject of a Zoning Petition in December, 2001, in which the owner sought rezoning to B-2 upon annexation of this property. Subsequently, the Village Council denied the B-2 zoning and a new Petition for Annexation is currently pending. At this point in time, my client seeks to rezone the property R-5A upon annexation to the Village of Downers Grove. My client proposes a single building townhome development which appears to be consistent with the development that has occurred and the trend of development in this area.

In reviewing the Village of Downers Grove Future Land Use Plan, it appears that this property has been designated for zero to six dwelling units per acre which normally would be associated with the Village R-1 to R-4 zoning districts. Our request, we believe, is compatible both with the surrounding zoning and the adjacent land uses as this is in fact a transitional area between the commercial properties both on the east side of Fairview in Westmont, and on the west side of Fairview in Downers Grove, and the residential uses both multi-family on the east side and single family on the west side further south of this parcel of property.

The proposed townhome development would consist of a single building most likely with only five dwelling units in that one single building.

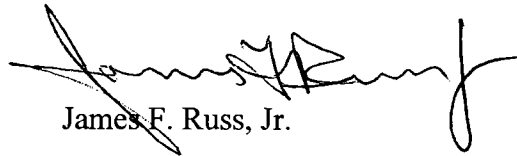
All zoning requirements with regard to setback and building heights would be met. Finally, this project has been discussed with Mr. Shez Bandukwala who had been acting as the spokesman for the neighbors to the west of this property at the prior hearing. Mr. Bandukwala has indicated to my client that the neighbors appear to be in favor of this development at this location. I look

Page 2
March 14, 2003

forward to presenting this petition to you at your March 26, 2003, Zoning Board of Appeals meeting.

Sincerely,

WIEDEL, HUDZIK, RUSS & PHILIPP

A handwritten signature in black ink, appearing to read "James F. Russ, Jr.", written in a cursive style. The signature is positioned above the printed name.

James F. Russ, Jr.

JFR/brd

Enclosure



MC-2.03

VILLAGE OF DOWNERS GROVE, ILLINOIS
Petition for a Map Amendment to the Zoning Ordinance

To: The Zoning Board of Appeals
Village of Downers Grove
801 Burlington Avenue
Downers Grove, Illinois 60515-4776

\$400.00 Fee for Individuals and
Non-Public Bodies
Application Number MC-2-03
Date Filed 2-11-03

Application must be filed in TRIPLICATE. Two copies of a Registered Surveyor's Plat of Survey must accompany the application.

1. Applicant by: Ronald A. Sievers
James F. Russ, Jr. Telephone (630) 969-2300

Address 4915 Main Street, Downers Grove, IL 60515

2. Owner(s) Ronald A. Sievers Telephone (630) 960-3750

Address 1000 Maple Avenue, Downers Grove, IL 60515

3. Applicant is (check one) [X] Attorney [] Agent [] Other (specify)
(NOTE: A letter of authorization from owner must be submitted)

4. Present owner acquired title to the property on (date) June, 2001

5. Location of property The west side of Fairview Avenue, South of 63rd Street.

Square foot area approximately 40,630 sq.ft. Acreage .9331 acres

6. Legal Description of property and P.I.N. # The South 143.15 Feet of the North 393.15 Feet of the
the East Half of
East Half of the Northeast Quarter of the Northeast Quarter of Section 20, Township 38
North, Range 11, East of the Third Principal Meridian, in DuPage County, Illinois.

P.I.N. 09-20-209-007

7. Present zoning classification DuPage County R-4

8. Proposed zoning classification Village of Downers Grove R-5A

9. Is this a pre-annexation zoning petition? [X] Yes [] No

10. Has applicant previously sought to rezone the property or any part of it? [X] Yes [] No

When? September, 2001 To what zoning classification Village of Downers Grove B-2

11. Is an improvement planned? [X] Yes [] No When? Upon annexation

12. What will be the actual use of the improvement? Townhomes

13. A list of the names and addresses of all persons to whom the latest general real estate tax bills were sent for all
property situated within 250 feet of the subject property: see attached

(Attach list of names and addresses, if room provided is insufficient.)

I hereby certify that these statements and all accompanying statements and drawings are true and correct to the best of my knowledge.

MC-2-03

Dated: 2-4-03

Respectfully submitted

Signature of Applicant:

Ronald A. Sievers / James F. Russ, Jr., attorney

Date forwarded to Plan Commission _____

Recommendation of Plan Commission _____

Date of Public Hearing _____

Action Taken by the Board _____

Signature of Chairman: _____

Date submitted to Village Council _____

Action Taken by the Council _____

Dated: _____ 19 _____

TAXPAYERS WITHIN 250 FEET OF SUBJECT PROPERTY

09-20-209-005	K & E Enterprises 1022 East Adams Springfield, IL 62703
09-20-209-006	K & E Enterprises 1022 East Adams Springfield, IL 62703
09-20-209-007	Subject Property
09-20-209-008	Nield, Robert E. and Carol L. 6326 Fairview Downers Grove, IL 60516
09-20-209-009	Nield, Robert E. and Carol L. 6326 Fairview Downers Grove, IL 60516
09-20-209-052	Lenckos, Walter and Doreen 6357 Davane Court Downers Grove, IL 60516
09-20-209-053	Potempa, Leonard and Norma 6351 Davane Court Downers Grove, IL 60516
09-20-209-054	Zinnecker, Jr., Emmet and C. 6345 Davane Court Downers Grove, IL 60516
09-20-209-055	DiSalvo, Anthony S. 6339 Davane Court Downers Grove, IL 60516
09-20-209-056	McCracken, Peggy A. 6333 Davane Court Downers Grove, IL 60516
09-20-209-057	Hashmi, Fouzia 6327 Davane Court Downers Grove, IL 60516

- 09-20-209-058 O'Driscoll, Daniel
6321 Davane Court
Downers Grove, IL 60516
- 09-20-209-059 Camacho, Ricardo
6324 Davane Court
Downers Grove, IL 60516
- 09-20-209-060 Bandukwala, Shezadk
6330 Davane Court
Downers Grove, IL 60516
- 09-20-209-061 ~~O'Driscoll, Daniel~~
~~1241 Richfield Court~~
~~Woodridge, IL 60517~~
- 09-20-209-062 Kania, Jeffrey E. and Kelly
6340 Davane Court
Downers Grove, IL 60516
- 09-20-209-063 Vattimo, David C. and Gina
6346 Davane Court
Downers Grove, IL 60516
- 09-20-209-064 Garofalo, David A.
6532 Davane Court
Downers Grove, IL 60516
- 09-21-100-009 Downers Grove National Bank
Attn: Control Department
1027 Curtiss
Downers Grove, IL 60515
- 09-21-100-010 Wu, Wei T. and Ching
6321 Fairview #B
Downers Grove, IL 60516
- 09-21-100-011 Barclay, Bill and Sandy
7 S 460 Dunwood Drive
Naperville, IL 60540

Forwarding Order Expired

09-21-100-012	Davorkos, Theodore and Toula 1007 South Cypress Drive Mt. Prospect, IL 60056
09-21-100-013	Harris Bank Hinsdale Trust No. L-3571 50 South Lincoln Hinsdale, IL 60521
09-21-100-006	Smyth, Jeffery and Joan 6325 Fairview Westmont, IL 60559
09-21-100-007	Harris Bank Naperville Trust 5828 1284 Rickert Road Naperville, IL 60540
09-21-100-008	Farimont Retirement Corp. 962 Honest Pleasure Naperville, IL 60524

LEGAL NOTICE: VILLAGE OF DOWNERS GROVE NOTICE OF PUBLIC HEARING - Notice is hereby given that a public hearing will be held by the Zoning Board of Appeals at 7:30 p.m. on Wednesday, March 26, 2003 in the Council Chambers of the Village Hall, 801 Burlington Avenue, Downers Grove, Illinois, on a petition seeking rezoning upon annexation from County R-4, Single Family Residential to Village R-5A, Townhouse Residential. The property is located on the west side of Fairview Avenue approximately 217 feet south of 63rd Street, commonly known as 6320 Fairview Avenue, Downers Grove, IL (PIN 09-20-209-007) and is legally described as follows:

The south 143.15 feet of the north 393.15 feet of the East Half of the East Half of the Northeast Quarter of the Northeast Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian, in DuPage County, Illinois, commonly known as 6320 Fairview Avenue, Downers Grove, IL (PIN 09-20-209-007).

Individuals with a disability requiring a reasonable accommodation in order to participate in any meeting should contact the Public Information Office (630) 434-5550 prior to the meeting. Wheelchair access may be gained through the side (south) entrance of Village Hall.

All interested persons should attend this hearing and will be given an opportunity to be heard. The hearing may be continued from time to time without further public notice. Zoning Board of Appeals, William White, Chairman. Published in the Downers Grove Reporter, Friday, March 7, 2003.

MC-2-03