

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
SEPTEMBER 13, 2011 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Final Plat of Subdivision - 5237 Benton Avenue	✓ Resolution Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

A resolution for a Final Plat of Subdivision has been prepared to consolidate two existing lots into one lot for the property located at 5237 Benton Avenue.

STRATEGIC PLAN ALIGNMENT

The Goals 2011-2018 identified *Exceptional Municipal Services*.

FISCAL IMPACT

N/A.

UPDATE & RECOMMENDATION

This item was discussed at the September 6, 2011 Village Council meeting. Staff recommends approval on the September 13, 2011 Consent Agenda.

BACKGROUND

The 11,572-square foot property, commonly known as 5237 Benton Avenue is zoned R-4 Single Family Residential and consists of one 55-foot wide by 131-foot deep lot and one 33-foot wide by 131-foot deep lot. The northern 55-foot wide lot is currently improved with a vacant single family residence and a detached garage. The southern 33-foot wide lot contains a recently constructed underground detention facility.

The Village is requesting approval of the final plat of subdivision to consolidate the two lots into one 88-foot wide by 131-foot deep lot prior to selling the property.

In 2010, the Village purchased both lots from the previous owner with the intent to construct the detention facility on the southern lot to mitigate flooding issues in the area. An underground stormwater detention facility was constructed in 2010. A blanket stormwater drainage easement will be placed over the detention facility. The easement provisions will prevent construction of any type of structure (except for a fence or a driveway) over the easement area.

The general maintenance of the detention facility will remain the responsibility of the Village. As such, the easement provisions will require clear, unobstructed access for Village officials for maintenance and improvements to the detention facility. The new property owner will be responsible for maintaining the yard over the facility.

All required infrastructure, including sidewalks, currently exist and no new public improvements are required. Aside from the blanket stormwater easement, the proposed lot will also include five-foot wide public utility easement along the north property line and a ten-foot wide public utility easement along the rear (east) property line.

The new lot will conform to the Zoning Ordinance dimensional requirements contained in Sections 28.1103 d) and 28.1104 d). Per Sections 20.101 and 20.301 c) no exceptions are being requested from the Subdivision Ordinance and the proposed lot consolidation does not increase the net nonconformity of the property. The dimensions for the new lot are outlined in the table below:

5237 Benton Avenue	Lot Width		Lot Depth		Lot Area	
	Required	Proposed	Required	Proposed	Required	Proposed
Lot 1	75 feet	88 feet (No change)	140 feet	131.5 feet (No change)	10,500 sq. ft.	11,572 sq. ft. (No change)

The Plan Commission considered the petition at their August 1, 2011 meeting. One neighbor inquired about the size of a house that could be built on the proposed lot. The proposed lot will have a 39.2-foot wide buildable width, which is standard for lots near downtown. Any future construction on the property will have to comply with the same bulk requirements applicable to other properties in the R-4 zoning district.

The Plan Commission found that the request met the standards of the Subdivision Ordinance. Based on their findings, the Plan Commission recommended approval of the Final Plat of Subdivision to consolidate the two lots into one. Staff concurs.

ATTACHMENTS

Aerial Map

Resolution

Staff Report with attachments dated August 1, 2011

Draft Minutes of the Plan Commission Hearing dated August 1, 2011

RESOLUTION _____

**A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION
FOR 5237 BENTON AVENUE**

WHEREAS, application has been made pursuant to the provisions of Chapter 20 of the Downers Grove Municipal Code for the approval of the final Plat of Subdivision to consolidate two lots into one lot for 5237 Benton, located on the east side of Benton Avenue approximately 335 feet south of Randall Street, commonly known as 5237 Benton Avenue, Downers Grove, Illinois, legally described as follows:

Lot 35 in Block 8 (except that part of Lot 35 in Block 8, if any, falling within Lot 34 in Block 8 in Straub's Addition to Downers Grove, bounded and described as follows: commencing at the intersection of the north line of Summit Street and the east line of Benton Avenue and proceeding thence north along the east line of Benton Avenue 550 feet to an iron pipe at the corner of said Lot 34 for a point of beginning; thence east parallel with the north line of Summit Street, 131.4 feet to an iron pipe at the southeast corner of said Lot 34; thence north parallel with the east line of Benton Avenue 50 feet to an iron pipe at the northeast corner of said Lot 34; thence west parallel with the north line of Summit Street, 131.4 feet to an iron pipe at the northwest corner of said Lot 34 on the east line of Benton Avenue; thence south along the east line of Benton Avenue to the point of beginning, being a resubdivision of part of Lot 4 in Assessor's division of Sections 7 and 8, Township 38 North, Range 11 east of the Third Principal Meridian, according to the Plat thereof recorded November 27, 1890 as Document 44124, In DuPage County, Illinois);

Also, (except that part of Lot 35 in Block 8, if any, falling within Lot 7 of the plat of Owner's subdivision of all that part of the westerly half (in width) of Block 8 in Straube's Addition to Downers Grove, in the southeast quarter of Section 8, Township 38 North, Range 11 east of the Third Principal Meridian, lying north of a line described as commencing at a point in the west line of said block, 386.75 feet southerly from the northwesterly corner thereof, as measured along said west line, thence east 131.7 feet to a point equidistant between the east and west lines of said block, according to the plat thereof recorded October 21, 1937 as Document 384586, in DuPage County, Illinois) in Straube's addition to Downers Grove, being a resubdivision of part of Lot 4 in Assessor's division of Sections 7 and 8, Township 38 North, Range 11 east of the Third Principal Meridian, according to the plat thereof recorded November 27, 1890 as Document 44124, in DuPage County, Illinois

Commonly known as 5237 Benton Avenue, Downers Grove, Illinois (PINs 09-08-409-007, -008).

WHEREAS, notice has been given and hearing held on August 1, 2011 regarding this plat application pursuant to the requirements of the Downers Grove Municipal Code; and,

WHEREAS, the Plan Commission has recommended approval of the Final Plat of Subdivision for 5237 Benton Avenue, located at 5237 Benton Avenue, as requested, subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove that the Final Plat of Subdivision for 5237 Benton Avenue, located at 5237 Benton Avenue, be and is hereby approved subject to the following condition:

1. The final plat of subdivision to consolidate the two lots into one shall substantially conform to the staff

report dated August 1, 2011 and its attachments except as such plat may be modified to conform to the Village Codes and Ordinances.

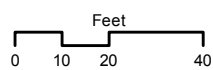
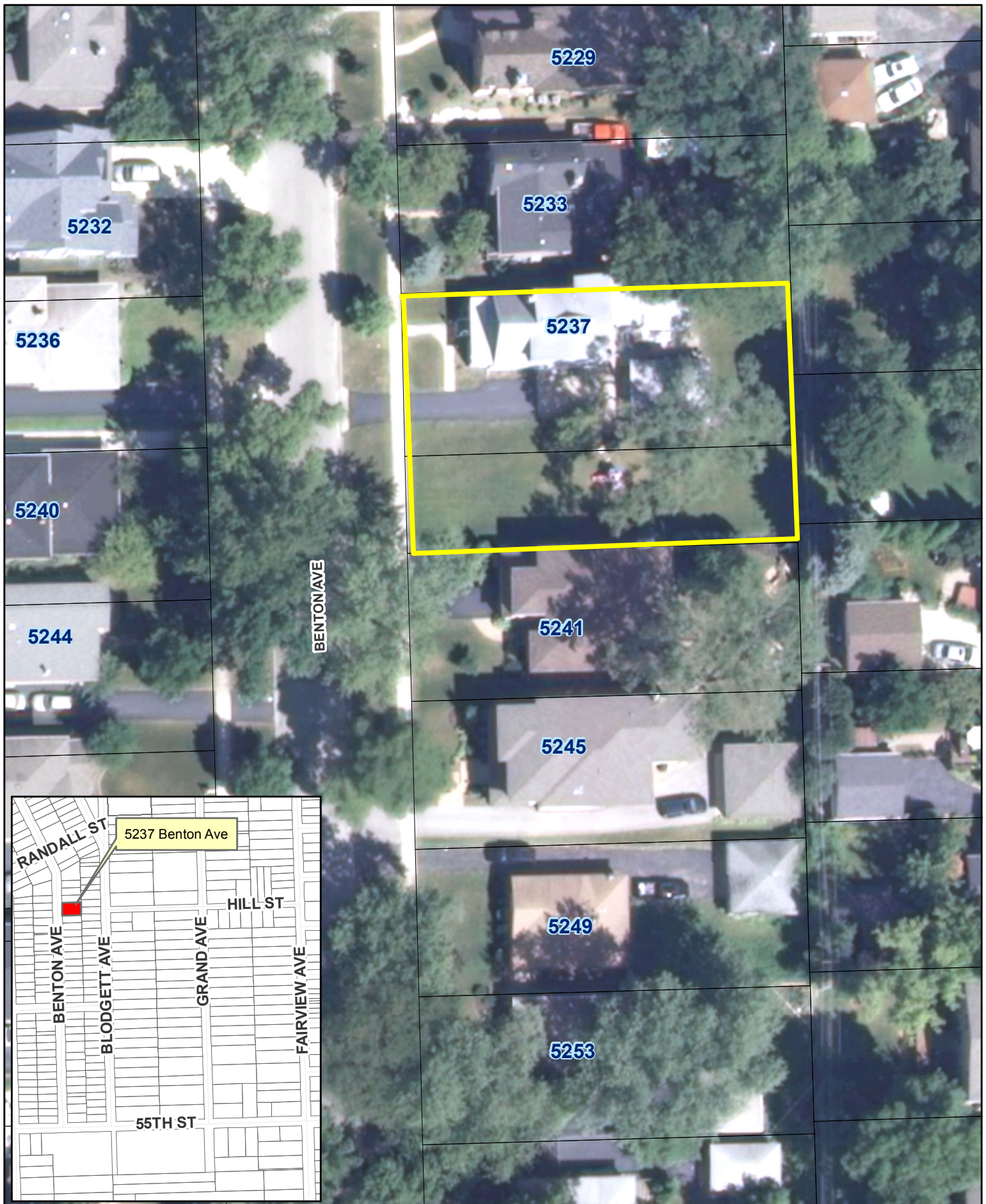
BE IT FURTHER RESOLVED, that the Mayor and Village Clerk are authorized to sign the final plat.

BE IT FURTHER RESOLVED, that this resolution shall be in full force and effect from and after its adoption in the manner provided by law.

Mayor

Passed:

Attest: _____
Village Clerk



5237 Benton Avenue



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
AUGUST 1, 2011 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
PC-26-11 5237 Benton Avenue	Final Plat of Subdivision	Damir Latinovic, AICP Planner

REQUEST

The Village is requesting approval of a final plat of subdivision to consolidate two lots into one.

NOTICE

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

GENERAL INFORMATION

OWNER/APPLICANT: Village of Downers Grove
801 Burlington Avenue
Downers Grove, IL 60515

PROPERTY INFORMATION

EXISTING ZONING: R-4 Single Family Residential District
EXISTING LAND USE: Residential
PROPERTY SIZE: Approximately 11,572 square feet
PINS: 09-08-409-007, -008

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	R-4 Single Family Residence District	Residential 0-6 DU/Acre
SOUTH:	R-4 Single Family Residence District	Residential 0-6 DU/Acre
EAST:	R-4 Single Family Residence District	Residential 0-6 DU/Acre
WEST:	R-4 Single Family Residence District	Residential 0-6 DU/Acre

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. Plat of Survey

PROJECT DESCRIPTION

The property, commonly known as 5237 Benton Avenue, zoned R-4 Single Family Residence is owned by the Village. The property is 88 feet wide by 131 feet deep. The property is made up of one 55-foot wide by 131-feet long lot and one 33-foot wide by a 131-feet long lot. The Village is requesting approval of a final plat of subdivision to consolidate two existing lots into a single lot.

The northern 55-foot wide lot is currently improved with a vacant single family residence and a detached garage. The southern 33-foot wide lot contains a recently constructed underground detention facility. In 2010, the Village purchased both lots from the previous owner with the intent to construct the detention facility on the southern lot per the Village’s Stormwater Master Plan to mitigate flooding issues in the area.

An underground stormwaer detention facility was constructed in 2010. A blanket stormwater drainage easement will be placed on the entire 33-foot wide lot. The easement provisions will prevent construction of any type of structure (except for a fence or a driveway) on the southern portion of the lot in the future. Additionally, the easement provisions will require clear, unobstructed access for Village officials for maintenance and improvements to the detention facility. The general maintenance of the detention facility will remain the responsibility of the Village. The Village’s intention is to sell the property upon consolidation.

COMPLIANCE WITH FUTURE LAND USE PLAN

According to the Future Land Use Plan, the subject property is designated for residential use. By consolidating the two lots into one, the Village will be able to sell both lots together and preserve the property for residential use. Staff believes the proposed final plat of subdivision is consistent with the Future Land Use Plan and Village planning documents.

COMPLIANCE WITH ZONING ORDINANCE

The property is zoned R-4 Single Family Residence district. The existing single family residential use is a permitted use in the district. The new lot will conform to the Zoning Ordinance dimensional requirements contained in Sections 28.1103 d) and 28.1104 d). Any future improvements to the property will have to meet all Zoning Ordinance bulk and setback requirements.

COMPLIANCE WITH THE SUBDIVISION ORDINANCE

The Village is not proposing any changes to the existing property. The dimensions for the new lot are outlined in the table below:

5237 Benton Avenue	Lot Width		Lot Depth		Lot Area	
	Required	Proposed	Required	Proposed	Required	Proposed
Lot 1	75 feet	88 feet (No change)	140 feet	131.5 feet (No change)	10,500 sq. ft.	11,572 sq. ft. (No change)

Per Sections 20.101 and 20.301 c) the Village is not requesting any exceptions from the Subdivision Ordinance and the proposed lot consolidation does not increase the net non-conformity of the property. The proposed lot will include a blanket stormwater drainage easement over the entire southern 33-foot wide lot, new five-foot wide public utility and drainage easement along the side property lines and ten-foot wide public utility and drainage easement along the rear property line which will satisfy the requirements for public utility easements.

NEIGHBORHOOD COMMENT

Notice was provided to all property owners 250 feet or less from the property lines in addition to posting

the public hearing sign and publishing the legal notice. Staff has not received any written neighborhood comment regarding the proposal at this time.

FINDINGS OF FACT

Staff believes the proposed Final Plat of Subdivision to consolidate the two existing lots into a single lot is consistent with the Zoning and Subdivision Ordinances and other planning objectives of the Village. The proposed consolidation meets the standards for lot dimensions for the R-4 zoning district, Sections 28.1103 d) and 28.1104 d) of the Zoning Ordinance and per Sections 20.101 and 20.301 c) of the Subdivision Ordinance.

RECOMMENDATIONS

The proposed final plat of subdivision is compatible with the 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 associated with PC-26-11 subject to the condition outlined below:

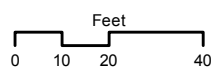
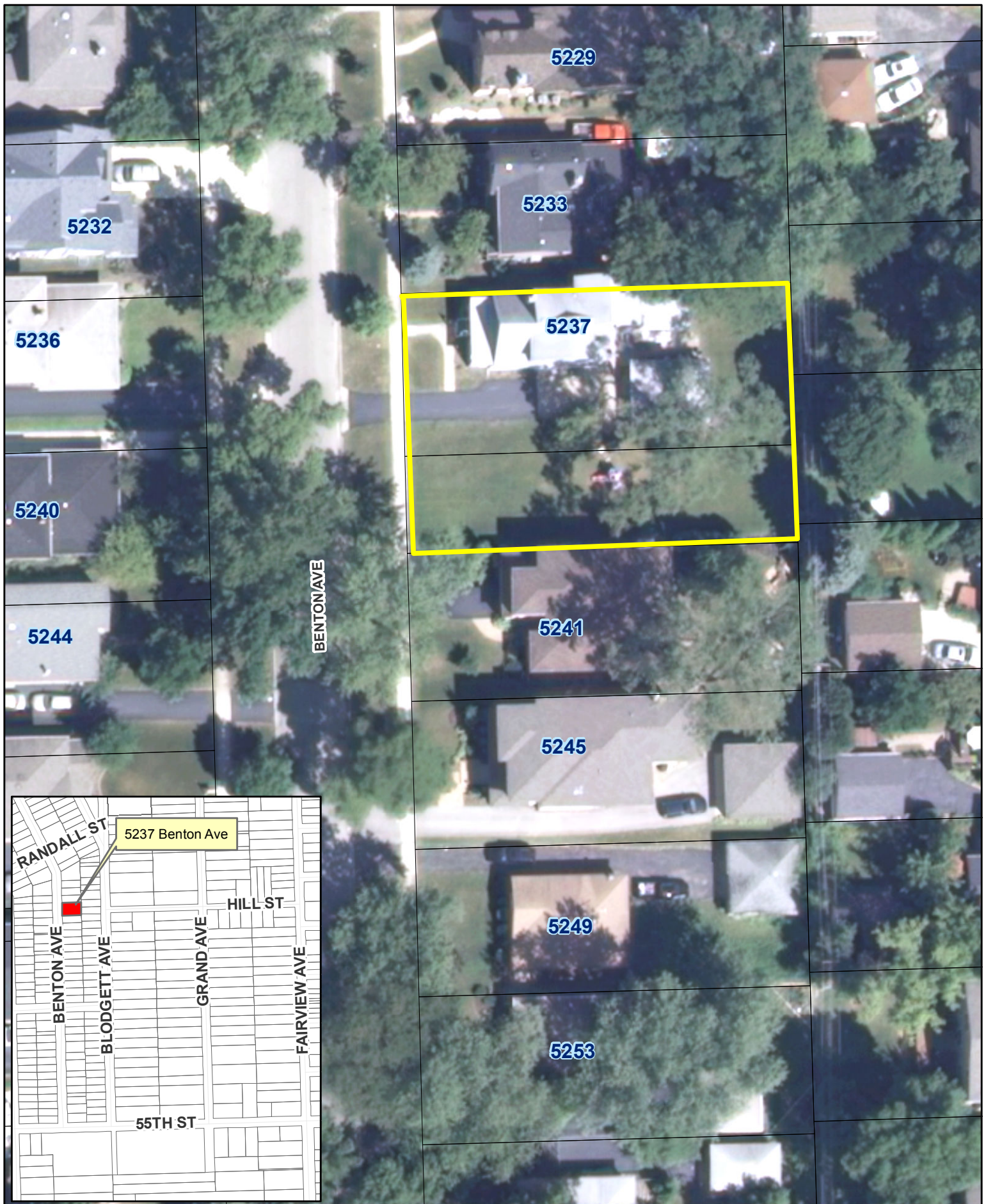
1. The final plat of subdivision to consolidate the two lots into one shall substantially conform to the staff report dated August 1, 2011 and its attachments except as such plat may be modified to conform to the Village Codes and Ordinances.

Staff Report Approved By:

Tom Dabareiner, AICP
Director of Community Development

TD:dl
-att

P:\P&CD\PROJECTS\PLAN COMMISSION\2011 PC Petition Files\PC-26-11 5237 Benton Ave - Lot Consolidation\Staff Report PC-26-11.doc



5237 Benton Avenue

A.L.T.A./A.C.S.M. LAND TITLE SURVEY

OF

LOT 35 IN BLOCK 8 (EXCEPT THAT PART OF LOT 35 IN BLOCK 8, IF ANY, FALLING WITHIN LOT 34 IN BLOCK 8 IN STRAUBE'S ADDITION TO DOWNERS GROVE, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SUMMIT STREET AND THE EAST LINE OF BENTON AVENUE AND PROCEEDING THENCE NORTH ALONG THE EAST LINE OF BENTON AVENUE 550 FEET TO AN IRON PIPE AT THE CORNER OF SAID LOT 34 FOR A POINT OF BEGINNING; THENCE EAST PARALLEL WITH THE NORTH LINE OF SUMMIT STREET, 131.4 FEET TO AN IRON PIPE AT THE SOUTHEAST CORNER OF SAID LOT 34; THENCE NORTH PARALLEL WITH THE EAST LINE OF BENTON AVENUE 50 FEET TO AN IRON PIPE AT THE NORTHEAST CORNER OF SAID LOT 34; THENCE WEST PARALLEL WITH THE NORTH LINE OF SUMMIT STREET, 131.4 FEET TO AN IRON PIPE AT THE NORTHWEST CORNER OF SAID LOT 34 ON THE EAST LINE OF BENTON AVENUE; THENCE SOUTH ALONG THE EAST LINE OF BENTON AVENUE TO THE POINT OF BEGINNING, BEING A RESUBDIVISION OF PART OF LOT 4 IN ASSESSOR'S DIVISION OF SECTIONS 7 AND 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 27, 1890 AS DOCUMENT 44124, IN DUPAGE COUNTY, ILLINOIS);

ALSO, (EXCEPT THAT PART OF LOT 35 IN BLOCK 8, IF ANY, FALLING WITHIN LOT 7 OF THE PLAT OF OWNER'S SUBDIVISION OF ALL THAT PART OF THE WESTERLY HALF (IN WIDTH) OF BLOCK 8 IN STRAUBE'S ADDITION TO DOWNERS GROVE, IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF A LINE DESCRIBED AS COMMENCING AT A POINT IN THE WEST LINE OF SAID BLOCK, 386.75 FEET SOUTHERLY FROM THE NORTHWESTERLY CORNER THEREOF, AS MEASURED ALONG SAID WEST LINE, THENCE EAST 131.7 FEET TO A POINT EQUIDISTANT BETWEEN THE EAST AND WEST LINES OF SAID BLOCK, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 21, 1937 AS DOCUMENT 384586, IN DUPAGE COUNTY, ILLINOIS) IN STRAUBE'S ADDITION TO DOWNERS GROVE, BEING A RESUBDIVISION OF PART OF LOT 4 IN ASSESSOR'S DIVISION OF SECTIONS 7 AND 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 27, 1890 AS DOCUMENT 44124, IN DUPAGE COUNTY, ILLINOIS.



SURVEYOR'S NOTES

1. THE UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD MARKS ON THE GROUND AND ABOVE GROUND OBSERVABLE EVIDENCE AND FIELD MARKS ON GROUND PER J.U.L.I.E. DIG #X0210312. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
2. COMPARE THE DESCRIPTION ON THIS PLAT WITH YOUR DEED, ABSTRACT, OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND REPORT ANY DIFFERENCE IMMEDIATELY.
3. BUILDING LINES ARE SHOWN ONLY WHERE THEY ARE SO RECORDED ON THE MAPS. REFER TO YOUR DEED OR ABSTRACT FOR ADDITIONAL ZONING RESTRICTIONS
4. THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND EMBOSSED SEAL.
5. EASEMENTS AND SERVITUDES SHOWN HEREON ARE BASED UPON A TITLE COMMITMENT ISSUED BY CHICAGO TITLE INSURANCE COMPANY IDENTIFIED AS NUMBER 002902875 WITH AN EFFECTIVE DATE OF MAY 1, 2009.
6. (R) = RECORD DATA
(M) = MEASURED DATA
(D) = DEED DATA
7. AREA OF SURVEY: LOT 7=7,224 SQ. FT., MORE OR LESS;
LOT 35=4,309 SQ. FT., MORE OR LESS.
8. DUE TO HEAVY SNOW COVER AT TIME OF SURVEY SOME FEATURES MAY NOT BE SHOWN.
9. POSSIBLE EASEMENT OF ANY PUBLIC SERVICE CORPORATION AS DISCLOSED BY SERVICE POLES ON REAR OF PROPERTY.

SURVEYOR'S CERTIFICATE

TO:
VILLAGE OF DOWNERS GROVE

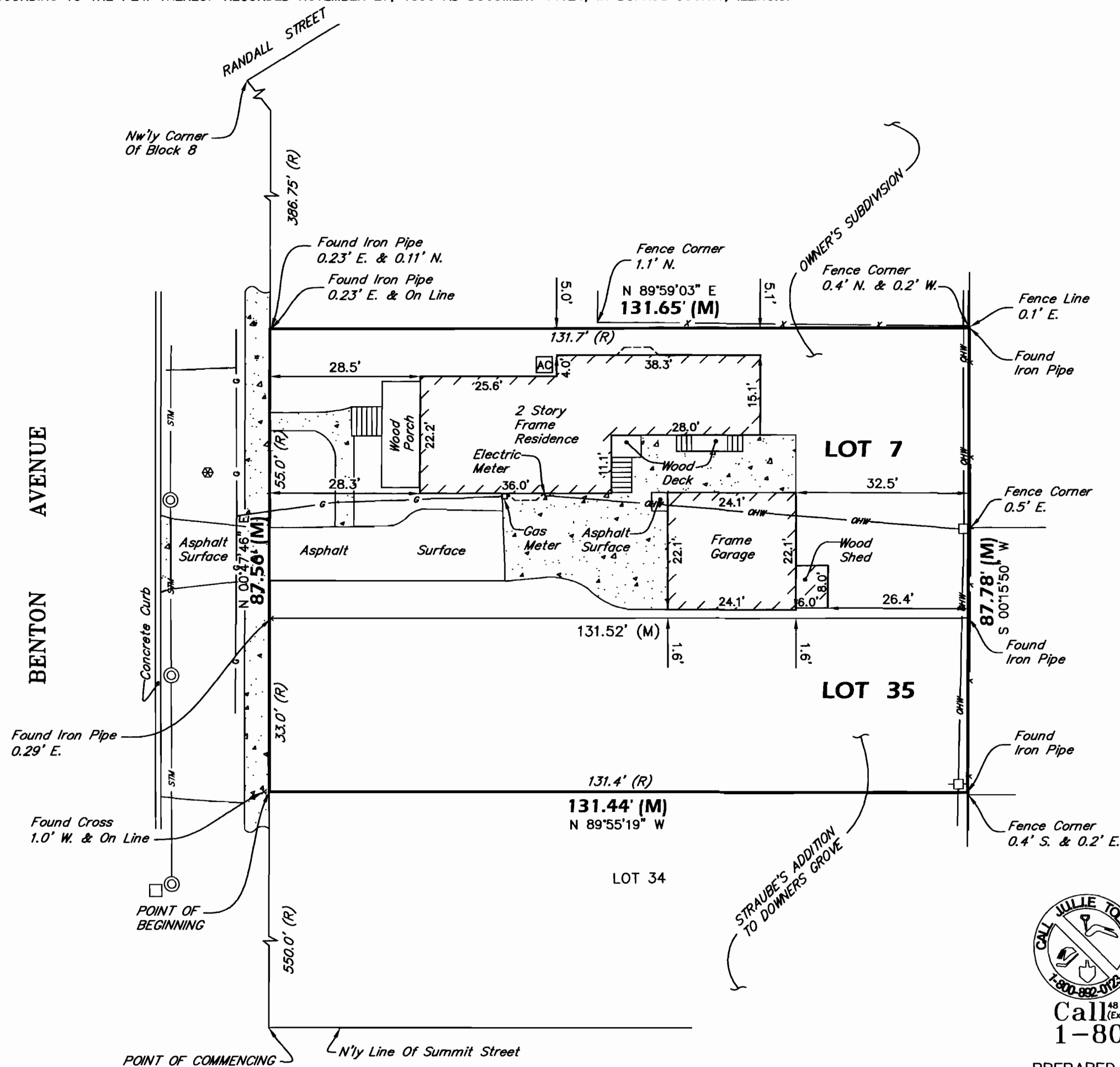
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND DOES NOT INCLUDE ANY ITEMS OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF ILLINOIS, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

FIELD WORK COMPLETED AND DATED
THIS 3RD DAY OF FEBRUARY, 2010.

Jeffrey R. Pinkon
IPLS No. 3483
MY LICENSE EXPIRES 11/30/10



PROFESSIONAL DESIGN FIRM NO. 184-004196



SYMBOL LEGEND

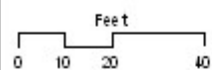
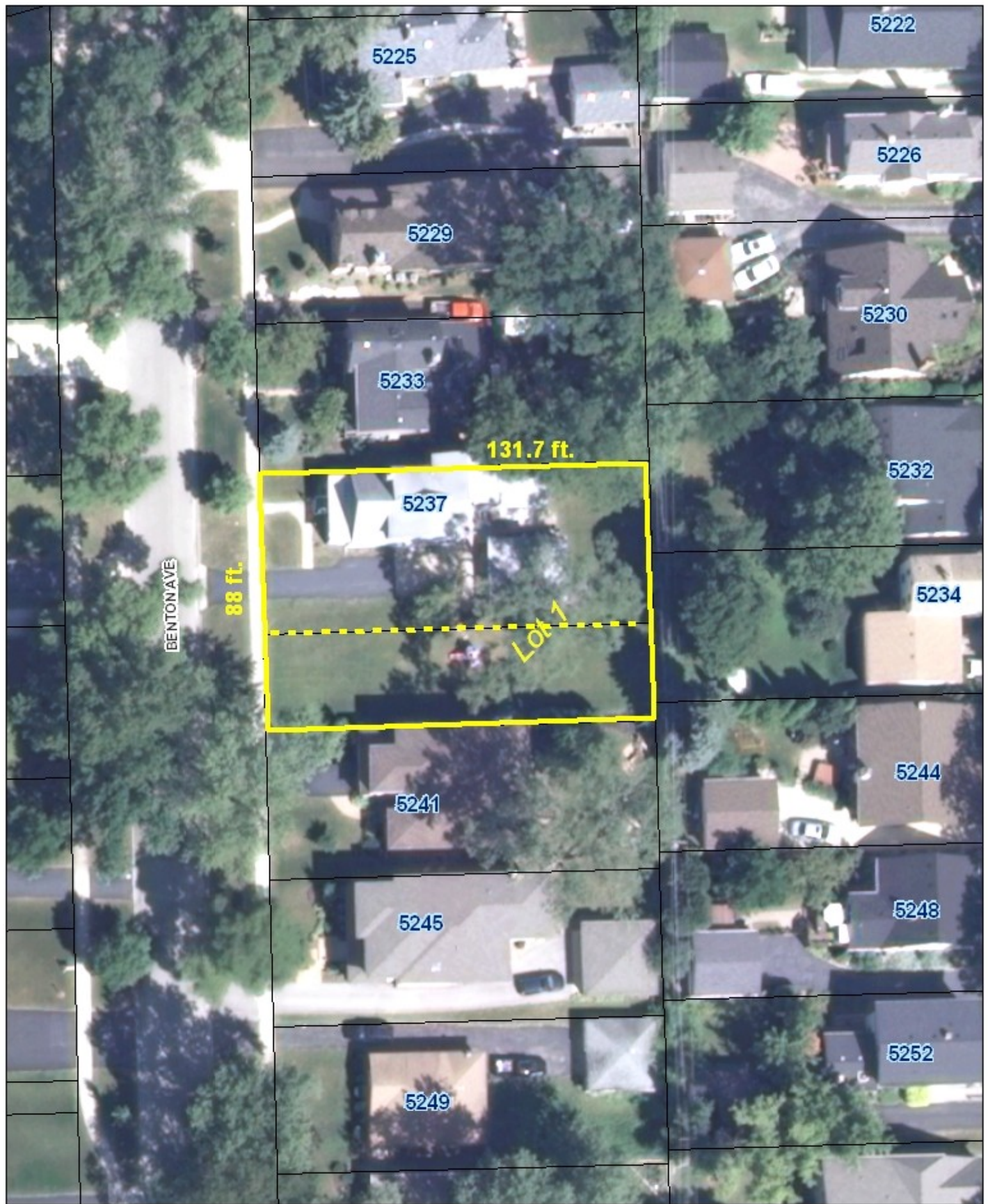
- | | |
|------------------|---------------------------|
| ⊙ - MANHOLE | -STM-- STORM SEWER |
| □ - INLET | -OHW-- OVERHEAD WIRES |
| ⊕ - POWER POLE | -G-- UNDERGROUND GAS LINE |
| *** - FENCE LINE | ▨ - CONCRETE SURFACE |
| ⊗ - BUFFALO BOX | |

JOINT UTILITY LOCATING INFORMATION FOR EXCAVATORS
 Call 48 hours before you dig (Excluding Sat., Sun. & Holidays)
1-800-892-0123

PREPARED FOR: VILLAGE OF DOWNERS GROVE
JOB ADDRESS: 5237 BENTON AVENUE
DOWNERS GROVE, ILLINOIS

Professional Land Surveying, Inc.
2900 Ogden Avenue Suite 110
Lisle, Illinois 60532
Phone 630.778.1757 Fax 630.778.7757

DRAWN BY: JLK FLD. BK./PG. NO.: 60/43
COMPLETION DATE: 02/03/10 JOB NO.: 105358
REVISED:



**5237 Benton Avenue
Lot Consolidation**