
**PLANNING & ZONING COMMISSION
Special Meeting
Wednesday, April 25, 2018
6:30 p.m.**

**Planning and
Zoning Commission**

Anthony Spinelli,
Chairman

Commission
Members:
Sean Cunningham
Samuel Glomp
Jerry McGleam
Kevin O'Connor
Joe Plahm
Matthew Zolecki

I. CALL TO ORDER

A. Pledge of Allegiance

B. Verify Quorum

II. CHAIRMAN'S COMMENTS

III. PUBLIC HEARINGS

A. 18-02 New Horizon Homes Rezoning for 127th Street & Rolling Meadow Drive

B. 18-05 327 E Logan Street Addition Variations for Rear Setback Encroachment, Size of the Attached Garage Greater than 10% of Lot Area, and Driveway Width Greater than 22 feet

IV. ACTION ITEMS

V. GENERAL DISCUSSION

A. Update from Village Board

VI. AUDIENCE PARTICIPATION

VII. ADJOURNMENT

**Community
Development:
Planning Division
Staff**

Jason Berry, AICP,
Community Development
Director
Mark Herman,
Community Development
Manager
Jamie Tate, AICP,
Consulting Planner

TO: Planning & Zoning Commission

FROM: Jamie Tate, AICP, Consulting Planner

THRU: Jason Berry, AICP, Community Development Director

SUBJECT: Case 18-02 New Horizon Homes Rezoning 127th Street & Rolling Meadows

DATE: April 25, 2018

SUMMARY

John Jurinek of New Horizon Home Builders, the owner of the subject property, is seeking Rezoning to R-5 Single Family Attached Residential District from B-3 Arterial Commercial District with Preliminary Plat approval. The purpose of the requested zoning change is to allow the construction of a residential subdivision comprised of 10 single-family detached dwelling units and 18 attached two-family dwelling units.



PROPOSAL INFORMATION

Case No. 18-02
Project Name New Horizon Homes Rezoning 127th Street & Rolling Meadows

General Information	
Applicant	John Jurinek
Status of Applicant	Land Owner
Requested Actions:	Rezoning
Purpose for Requests	Construct 10 single-family detached homes and 18 single-family attached homes
Site Location	Southeast corner of 127 th Street & Rolling Meadows Drive: 16519 W 127 th Street (PIN: 22-31-101-010-0000) and 16455 W 127 th Street (PIN: 22-31-101-009-0000)
Existing Zoning	B-3 Arterial Commercial District
Size	8.5 acres
Existing Land Use	Vacant land
Surrounding Land Use/Zoning	North: Unincorporated Cook County (vacant Tollway land with a radio/cell tower)
	South: R-4 Single Family Detached District (Rolling Meadows Subdivision)
	West: B-3, Arterial Commercial Zoning District (Single family residence and Sun & Shade nursery center)
	East: Unincorporated Cook County (Vacant Park District and Tollway land); and R-1 Single Family Detached District (vacant Tollway land).
Lemont 2030 Comprehensive Plan	The Comprehensive Plan map designates this area Employment Center (EC).

BACKGROUND

In 1996, the formerly Lemont Aero landing field was proposed and approved as the Rolling Meadows Subdivision by Jurinek & Riskus. At that time, approximately 76 acres were annexed and zoned which included 42 acres of R-4 Single Family Detached zoning district and 34 acres of B-3 Commercial Zoning District. In 2002, there was an Amendment to the



Annexation Agreement for this site to rezone 18.09 acres of the B-3 Arterial Commercial District to R-4 Detached Single Family District. After the rezoning was approved, only 15.91 acres of land fronting 127th Street remained as B-3 Arterial Commercial district. The commercially zoned land has been slowly reduced over the years to become residential. The proposal today is for the remaining 8.5 acres to be rezoned from B-3 Arterial Commercial Zoning to R-5 Attached Single Family Residential zoning in order to construct single and two-family homes. The rezoning of this proposal would remove the opportunity of a commercial project nearest to the I-355 (west) exit at 127th Street.

PROCESS & PROPOSAL

New Horizon Homes had a public hearing at the January 17, 2018 PZC Meeting to discuss the rezoning of this property from B-3 to R-5 for a 22 home single-family detached subdivision. The rezoning received a positive recommendation from the Commission after the applicant changed their request to rezone to R-4 Single-Family Detached Zoning District rather than R-5 Single-Family Attached Residential District. At that time, the applicant did not have a preliminary plat attached to the rezoning and the PZC was generally uncomfortable with a rezoning to R-5 without an attached plan. The applicant agreed at that meeting to change the proposal to R-4 rather than R-5 and would proceed with a PUD in the future requesting several variances for the subdivision. Even with the prospect of setback variances, the PZC recommended in favor of the rezoning to R-4 Single Family Detached Residential District and the project went to Committee of the Whole.

At the Committee of the Whole meeting on February 26, 2018, the Trustees discussed concerns regarding the disconnection of the terminating Kayla Drive cul-de-sac, the mismatched lot lines between this proposal and Phase III of Rolling Meadows, the smaller lots that will require setback variances, and the loss in potential revenue from a commercial property to a low-medium density single-family detached home subdivision. After this meeting, New Horizon decided to revise their proposal in order to take into consideration the Village Board's comments and concerns to create a more palatable plan that makes sense for both the Village Board, PZC, residents and developer.

Contrary to New Horizon's first proposal in January 2018, the subdivision will no longer require a PUD as currently shown. After enlarging the lots on the south side of Kayla Drive that abut Phase III of Rolling Meadows, and changing the north Kayla Drive lots to duplexes, this allowed more room to meet setbacks and eliminated the need for exception requests within a PUD. The preliminary subdivision plan shows one east-west Street (Kayla Drive) off of Rolling Meadows Drive now connecting to Willow Drive. There are 28 dwelling units, a mix of single-family detached and single-family attached duplexes, proposed with approximate 12,320 sf – 23,986 sf lots. New Horizon will be requesting 27' for pavement width on Kayla Drive rather than 30'.

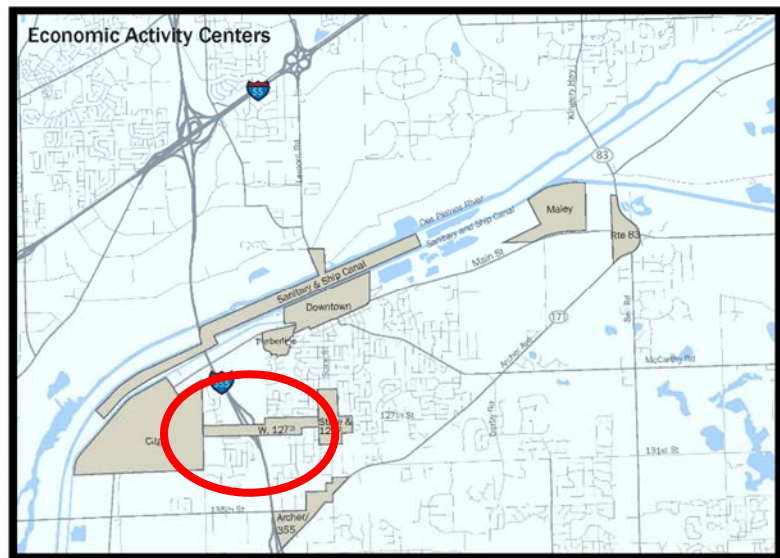


COMPREHENSIVE PLAN

The Comprehensive Plan shows this area as “Employment Center” (EC). The EC District is characterized by a mix of uses, all which generate high employment per square foot of building area. The EC District shares some characteristics with the retail districts, but the primary purpose of the EC district is different from the retail districts. The Employment Center district has the primary benefit of generating local employment, and may have a secondary benefit of providing useful services to local residents. Retail districts primarily exist to provide services of use to residents and visitors, with the secondary benefit of adding employment.

The buildings in this district general house professional offices, but those offices are typically larger than the professional offices that would be found in a retail district. The buildings may vary widely in size but are generally no more than three stories high. On-site parking is typically provided and primarily for employees, while also accommodating visitors. New development in this district will be designed to accommodate non-motorized access, both for local employees who wish to bike or walk to work and to provide pedestrian and bicycle connections to nearby retail destinations.

Within the Comprehensive Plan, a Target Industries report was created based on careful examination of Lemont’s competitive position in the marketplace, its assets and its liabilities. The Target Industries Report identifies ten locations within the Village or its planning area as economic activity centers. Economic Activity Centers are existing or potential future hubs of business activity; they are not intended to represent the locations of all commercial activity within the Village, but rather those areas where there already are or may in the future be significant concentrations of economic activity. These activity centers are the locations where the Village’s targeted industries are already located or may be located in the future. This area being proposed for a zoning change is one of the Economic Activity Centers that is a growth target area for the health care industry and the professional, scientific & technical service industry.



Source: Lemont Comprehensive Plan page 29

While the Comprehensive Plan labels this area as EC, if the property were to be rezoned to R-5, the 2030 Plan does encourage this zoning in appropriate infill locations. The Our Homes



section of the plan calls for the Village to encourage single-family detached housing alongside other complementary housing products, such as single-family attached housing. It states that the Village should be receptive to new development proposals that mix housing types and lot sizes.

STANDARDS FOR REZONING

Illinois courts have used an established set of criteria when evaluating the validity of zoning changes. The criteria are known as the LaSalle factors, as they were established in a 1957 lawsuit between LaSalle National Bank and Cook County. Additionally, the eight “LaSalle factors” serve as a useful guide to planners and appointed and elected officials who are contemplating zoning changes. The LaSalle factors that are not addressed elsewhere in this report are as follows:

1. The extent to which property values are diminished by the particular zoning;

Analysis: Rezoning would not diminish the value of the subject property.

2. The extent to which the destruction of property values of the complaining party benefits the health, safety, or general welfare of the public;

Analysis: The applicant’s property values are not expected to diminish in value.

3. The relative gain to the public as compared to the hardship imposed on the individual property owner;

Analysis: There is no hardship upon the subject property’s owners, as the requested rezoning will allow the owners to achieve their desired development of subject property and increase the value of the land as it stands vacant today.

4. The public need for the proposed use;

Analysis: The proposed use would allow for faster development of a site that is vacant with desirable access to a major highway I-355. The proposed use would provide a transition zone of two-family duplex homes and a more diverse housing choice in this area.

GENERAL ANALYSIS

Consistency with Lemont 2030 Plan. The Comprehensive Plan map designates the subject property as Employment Center (EC) land use.

The proposed rezoning is inconsistent with the land use goals of the Lemont 2030 Comprehensive Plan. The proposed rezoning removes the opportunity to implement the



Lemont Comprehensive land use that suggests an employment center type use for the subject site. Consequently, the subdivision now proposed with a mix of attached and detached single-family homes does further one of the housing goals of the Comprehensive Plan to provide more diverse housing and opportunities for housing choices.

Compatibility with Existing Land Uses. The proposed rezoning to residential is compatible with adjacent land uses. The land use to the south of the proposal is zoned residential and new homes are currently being constructed. Although the land to the west is zoned commercial, a single-family home currently occupies this property and it is for sale.

Traffic & Site Access. The additional traffic created by residential versus commercial should not significantly affect the level of service or travel times of nearby roads.

Landscaping. A landscape plan has not been provided at this time but it will be a part of the site development process if the proposal is to move forward. Staff has suggested a landscape easement should be provided along the northern property line with enhanced and uniform landscaping to give the new residential subdivision screening and the sense of completion. This would help further the Comprehensive Plan's goal of developing inviting gateways into Lemont. The 127th Street exit is a gateway into Lemont and traveling in either direction brings visitors or residents through a key corridor and point of entry. Ensuring that these areas are attractive is key to creating a positive first impression of Lemont for visitors.

Building Design. The applicant has not provided documentation on building design at this time.

TRC COMMENTS

A TRC meeting was held on December 8, 2017 to discuss the rezoning and potential residential subdivision. *At that time the proposal did not include the street connection or the addition of duplexes. The proposal was only a single-family home subdivision with multiple variance requests.* The Fire District and Village Engineer have reviewed the new plan. The Engineer did not have any additional comments than found below. The Fire District's comments are provided as Attachment 5. Comments that are no longer applicable have been removed.

The following comments were provided to the applicant:

Engineering Comments & Stormwater Management. The Village Engineer gave the following comments at the TRC meeting.

1. No preliminary engineering is indicated, such as proposed water main, sanitary sewer, storm sewer and street layout. (The proposed water main needs to be looped to Willow Drive.)
2. The proposed detention area location also currently serves as a detention area for the Rolling Meadows Drive pavement, as part of the Rolling Meadows Unit 1 development.



3. The two, 48-inch diameter culverts under 127th Street appear to be shown draining north to south, which is believed to be incorrect.

Planning Comments. Planning has concerns about changing the zoning from commercial to residential when it does not meet the future land use map in the Comprehensive Plan and with its proximity to the I-355 exit on 127th Street. Planning stated they would like to see a nice landscape buffer between the rear yards of the proposed subdivision with a [possible] landscape easement and uniform landscaping. It is important for this to look very nice and well planned as it's an entryway into the Village of Lemont. The remaining TRC comments have been addressed by adjusting the plan to R-5 and enlarging the lots to meet setbacks. The Applicant will have to meet all UDO requirements through the site development process.

Other TRC Comments. The Lemont Police Department had concerns about street lighting (at the entrance), and adding a stop bar and stop sign.

Representatives from the Lemont Park District mentioned concerns about impact fees. Since the previous rezoning was done through an annexation agreement amendment, the impact fees were not generated and distributed to the appropriate entities. The 18.09 acres that were rezoned from commercial to residential in 2002 did not provide the park with any additional monies to invest in the area for a park. They would like to see impact fees worked in to the approval process for the new homes if the area is to be rezoned.

CONCLUSIONS

The proposed rezoning would not follow future land use map in the Lemont Comprehensive Plan and remove the opportunity for a non-residential use at the west exit of 127th and I-355. The proposed rezoning would allow for faster development as the applicant is ready to start building homes. Subsequently, the proposed rezoning with the attached Preliminary Plat indicating attached and detached homes would further the goals of the Comprehensive Plan to provide a more diverse housing stock than single-family and to provide transition zones for housing along major streets and intersections.

ATTACHMENTS

1. Site Photographs
2. Rezoning Application Package
3. Updated Preliminary Plat by DEI dated 3-28-18.
4. Mayfair Park layout from Building Permit plans
5. Fire Marshal Rezoning and Preliminary Plat Comments
6. 2018 Lemont Zoning Map



Attachment 1 Site Photos



1 of 2: Looking south from 127th Street



2 of 2: Looking east from Rolling Meadows Drive



Rezoning Application Form

APPLICANT INFORMATION

JOHN JURINEK

Applicant Name

NEW HORIZON HOMES BUILDER, INC.

Company/Organization

P.O. BOX 406 LEMONT, IL 60439

Applicant Address

630-886-3927

Telephone & Fax

j.r.jurinek@comcast.net johndjurinek@gmail.com p.jurinek@comcast.net

E-mail

CHECK ONE OF THE FOLLOWING:

- Applicant is the owner of the subject property and is the signer of this application.
- Applicant is the contract purchaser of the subject property.
- Applicant is acting on behalf of the beneficiary of a trust.
- Applicant is acting on behalf of the owner.

PROPERTY INFORMATION

COMMERCIAL LOTS 16455 & 16519 WILLOW AT 127th ST. & ROLLING MEADOWS DR.

Address of Subject Property/Properties

22-31-101-010-0000 & 22-31-101-009-0000

Parcel Identification Number of Subject Property/Properties

8.5 acres

Size of Subject Property/Properties

DESCRIPTION OF REQUEST

Requested Zoning: R-5 PUD

REQUIRED DOCUMENTS

See Form 502-A, *Rezoning Application Checklist of Required Materials*, for items that must accompany this application.

FOR OFFICE USE ONLY

Application received on: _____ By: _____

Application deemed complete on: _____ By: _____

Current Zoning: _____

Fee Amount Enclosed: _____ Escrow Amount Enclosed: _____

Rezoning Application Form

Village of Lemont

APPLICATION FEE & ESCROW

Application Fee (based on size of property to be rezoned):

< 2 acres = \$300 10 to < 20 acres = \$1,000
2 to < 5 acres = \$500 20 acres or more = \$1,250
5 to < 10 acres = \$750

Fee is non-refundable.

Required Escrow = \$500

At the time of application, the applicant shall submit a check for the establishment of an escrow account. The escrow money shall be used to defray costs of public notice, consultants, or other direct costs incurred by the Village in association with the rezoning application. Additionally, should the applicant fail to remove the required public notice sign in a timely manner, the escrow account may be used to defray the costs of the sign's removal. After completion of the rezoning review process, any unused portion of the escrow account will be refunded upon request.

AFFIRMATION

I hereby affirm that I have full legal capacity to authorize the filing of this application and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. I permit Village representatives to make all reasonable inspections and investigations of the subject property during the period of processing of this application. I understand that as part of this application I am required to establish an escrow account to pay for direct costs associated with the approval of this application, such as the fulfillment of public notice requirements, removal of the public notice sign, taking of minutes at the public hearing and fees for consultants hired by the Village to evaluate this application. I understand that the submitted fee is non-refundable and that any escrow amount leftover upon project completion will be refunded upon request. I understand that I am responsible for the posting of a public hearing sign and for the mailing of legal notice to all surrounding property owners as required by Village ordinances and state law.

[Handwritten Signature]

1-4-18

Signature of Applicant

Date

ILLINOIS

COOK

State

County

I, the undersigned, a Notary Public in and for the aforesaid County and State, do hereby certify that *JOHN JURINEK* is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and that said person signed, sealed and delivered the above petition as a free and voluntary act for the uses and purposes set forth.

Patricia A Jurinek
Notary Signature

Given under my hand and notary seal this *4* day of *Jan* A.D. 20 *18*.

My commission expires this *20* day of *April* A.D. 20 *20*.



Rezoning Application Checklist of Required Materials

Materials Required at Submittal of Application

A complete application for a rezoning must include **all** of the following items. Any application that does not include all of the following items will not be considered complete. The Planning & Economic Development Department **will not** schedule a public hearing for any rezoning request until a complete application has been submitted.

- Application Form.** One original copy of the attached *Rezoning Application Form*, signed by the applicant and notarized.
- Application Fee.** A non-refundable fee in the appropriate amount.
- Escrow Account.** \$500 per application. Any unused portion may be refunded upon request after completion of the rezoning review process.
- Proof of Ownership & Applicant Authorization.** One copy of a deed that documents the current ownership of the subject property. If the applicant is the owner, this is the only documentation necessary. If the applicant is not the owner, the following are required in addition to a copy of the deed:
 - If the applicant is the contract purchaser of the property, a copy of said contract must be attached.
 - If the applicant is acting on behalf of the beneficiary of a trust, a notarized letter from an authorized trust officer identifying the applicant as an authorized individual acting in behalf of the beneficiaries must be attached. The letter must also provide the name, address and percentage of interest of each beneficiary.
 - If the applicant is acting on behalf of the owner, a notarized letter of consent from the owner must be attached.

If the property owner is a company, a disclosure of the principals of the company must be included in the application materials. For example, an LLC may submit a copy of the LLC Management Agreement.

Affidavit of Public Notice

The undersigned John Jurinek, being duly sworn on oath states as follows:

1. That he/she is the owner of record that is subject of the
(owner of record, contract purchaser, authorized agent, etc.)

petition to Rezone B3 Commercial To R5

by NEW HORIZON HOMES BUILDER, INC.
(Designate petitioner(s); and, if applicable, designate Trust numbers and all beneficiaries thereunder)

for

property located at and commonly known as COMMERCIAL LOTS 16455 & 16579 WILLOW @ 127th St. ROLLING MEADOWS ILL.

2. That the attached Public Notice, marked as Exhibit A, was served on all of the parties whose names and addresses are identified on the attached Exhibit B, by one of two means listed below.

Indicate by checkmark the applicable box and enter any requested information:



By mailing a copy of said notice by certified mail, return receipt requested, via United States Mail at the following location: Lemont, ILLINOIS 60439

City and State

OR:



By delivering said notice in person to the individual homes or offices and obtaining the signature of each recipient with name and address on a separate sheet of paper to be submitted as Exhibit C.

3. That the designated delivery took place on the 4 day of Jan 2018.

[Signature]
Signature

(indicate whether owner, contract purchaser, agent, etc.)

Subscribed and sworn before me this 4
day of Jan, 2018

Patricia A. Jurinek
Notary Public

My commission expires on Apr 20, 2020



(Notary Seal Here)

TRUST AGREEMENT

This Trust Agreement, dated this 15th day of November 1996, and known as Trust Number 96-040 is to certify that HINSBROOK BANK AND TRUST as trustee hereunder, is about to take title to the following described real estate in Cook County, Illinois, to-wit:

The East 1/2 of the Northwest 1/4 of Section 31, Township 37 North, Range 11 East of the Third Principal Meridian, except the Easterly 300 Feet of the 726.00 Feet of said Northwest 1/4, all situated in Lemont Township, in Cook County, Illinois.

Permanent Real Estate Tax Index Number 22-31-101-001 and 22-31-101-006

otherwise known as 127th Street East of Smith Road, Lemont, Illinois IL, and that when it has taken the title thereto, or to any other real estate deeded to it as trustee hereunder, it will hold it for the uses and purposes and upon the trusts herein set forth. The following named persons shall be entitled to the earnings, avails, and proceeds of said real estate according to the respective interests herein set forth, to-wit:

100% in Jurinek & Riskus, Inc., an Illinois corporation

36-3839712

IT IS UNDERSTOOD AND AGREED between the parties hereto, and by any person or persons who may become entitled to any interest under this trust, that the interest of any beneficiary hereunder shall consist solely of a power of direction to deal with the title to said property and to manage and control said property as hereinafter provided, and the right to receive the proceeds from rentals and from mortgages, sales or other disposition of said premises, and that such right in the avails of said property shall be deemed to be personal property, and may be assigned and transferred as such, that in case of the death of any beneficiary hereunder during the existence of this trust, his or her right and interest hereunder shall, except as herein otherwise specifically provided, pass to his or her executor or administrator, and not to his or her heirs at law, and that no beneficiary now has, and that no beneficiary hereunder at any time shall have any right, title or interest in or to any portion of said real estate as such, either legal or equitable, but only an interest in the earnings, avails and proceeds as aforesaid. The death of any beneficiary hereunder shall not terminate the trust nor in any manner affect the powers of the trustee hereunder. No assignment of any beneficial interest hereunder shall be binding on the trustee until the original or a duplicate of the assignment is lodged with the trustee, and every assignment of any beneficial interest hereunder, the original or duplicate of which shall not have been lodged with the trustee, shall be void as to all subsequent assignees or purchasers without notice.

Nothing contained in this agreement shall be construed as imposing any obligation on the trustee to file any income, profit or other tax reports or schedules; it being expressly understood that the beneficiaries from time to time will individually make all such reports, and pay any and all taxes, required with respect to the earnings, avails and proceeds of said real estate or growing out of their interest under this trust agreement.

In case said trustee shall make any advances of money on account of this trust or shall be made a party to any litigation on account of holding title to said real estate or in connection with this trust, or in case said trustee shall be compelled to pay any sum of money on account of this trust, whether on account of breach of contract, injury to person or property, fines or penalties under any law or otherwise, the beneficiaries hereunder do hereby jointly and severally agree that they will on demand pay to the said trustee, all such disbursements or advances or payments made by said trustee, together with its expenses, including reasonable attorney's fees, and that the said trustee shall not be called upon to convey or otherwise deal with said property at any time held hereunder until all of said disbursements, payments, advances, and expenses made or incurred by said trustee shall have been fully paid, together with interest thereon as aforesaid. However, nothing herein contained shall be construed as requiring the trustee to advance or pay out any money on account of this trust or to prosecute or defend any legal proceeding involving this trust or any property or interest thereunder unless it shall be furnished with funds sufficient therefor or be satisfactorily indemnified in respect thereto.

It shall not be the duty of the purchaser of said premises or of any part thereof to see to the application of the purchase money paid therefore, nor shall any one who may deal with said trustee be required or privileged to inquire into the necessity of expediency of any act of said trustee, or of provisions of this instrument.

This trust agreement shall not be placed on record in the Recorder's Office of the county in which the land is situated, or elsewhere, and the recording of the same shall not be considered as notice of the rights of any person hereunder, derogatory to the title or powers of said trustee.

The Trustee may at any time resign by sending by registered mail a notice of its intention so to do to each of the then beneficiaries hereunder at his or her address last known to the Trustee. Such resignation shall become effective ten days after the mailing of such notices by the Trustee. In the event of such resignation, a successor or successors may be appointed by the person or persons then entitled to direct the Trustee in the disposition of the trust property, and the Trustee shall thereupon convey the trust property to such successor or successors in trust. In the event that no successor in trust is named as above provided within ten days after the mailing of such notices by the Trustee, then the Trustee may convey the trust property to the beneficiaries in accordance with their respective interests hereunder, or the Trustee may, at its option, file a bill for appropriate relief in any court of competent jurisdiction. The Trustee notwithstanding such resignation shall continue to have a first lien on the trust property for its costs, expenses and attorney's fees and for its reasonable compensation.

Every successor Trustee or Trustees appointed hereunder shall become fully vested with all the estate, properties, rights, powers, trusts, duties, and obligations of its, his or their predecessor.



It is understood and agreed by the parties hereto and by any person who may hereafter become a party hereto, that said Hinsbrook Bank and Trust will deal with said real estate only when authorized to do so, in writing, and that (notwithstanding any change in the beneficiary or beneficiaries hereunder) it will, unless otherwise directed in writing by any of the beneficiaries, on the written direction of

John Jurinek and George Riskus and Laddie Drahos

or will on the written direction of such other person or persons as shall be from time to time named in writing by the beneficiary or beneficiaries, or on the written direction of such person or persons as may be beneficiary or beneficiaries at the time, make deeds for, including deeds conveying directly to a trustee grantee, or otherwise deal with the title to said real estate, provided, however, that the trustee shall not be required to enter into any personal obligations or liability in dealing with said land or to make itself liable for any damages, costs, expenses, fines or penalties, or to deal with the title so long as any money is due to it hereunder. Otherwise, the trustee shall not be required to inquire into the propriety of any such direction.

The beneficiary or beneficiaries hereunder, in his, her or their own right shall have the management of said property and control of the selling, renting, and handling thereof, and each beneficiary or his or her agent shall collect and handle his or her share of the rents, earnings, avails and proceeds thereof, and said trustee shall have no duty in respect to such management or control, or the collection, handling or application of such rents, earnings, avails or proceeds, or in respect to the payment of taxes or assessments or in respect to insurance, litigation, or otherwise, except on written direction as hereinabove provided, and after the payment to it of all money necessary to carry out said instructions. No beneficiary hereunder shall have any authority to contract for or in the name of the trustee or to bind the trustee personally. If any property remains in this trust twenty years from this date, it shall be sold at public sale by the trustee on reasonable notice, and the proceeds of the sale shall be divided among those who are entitled thereto under this trust agreement.

HINSBROOK BANK AND TRUST shall receive for its services in accepting this trust and in taking title hereunder a fee of \$ _____; also an annual fee based upon its current trust fee schedule so long as any property remains in this trust; also its regular scheduled fees for making deeds, and it shall receive reasonable compensation for any special services which may be rendered by it hereunder, or for taking and holding any other property which may hereafter be deeded to it hereunder, which fees, charges, or other compensation, the beneficiaries hereunder jointly and severally agree to pay.

May the name of any beneficiary be disclosed other than as required by law? _____

To whom shall written inquiries, and bills, be sent? John Jurinek, P.O. Box 2351, Darien, IL 60559

Liquor is, is not being sold in the trust premises. Valuation: _____

IN TESTIMONY WHEREOF, Hinsbrook Bank & Trust has caused these presents to be signed by its Vice President and Trust Officer and attested by its Trust Officer and has caused its corporate seal to be hereto attached as and for the act and deed of said corporation, the date above written.

HINSBROOK BANK AND TRUST

ATTEST: John Johnson Trust BY: Judith Harney Trust Officer

And on said day the said beneficiaries, and others having power of direction only, have signed this Trust Agreement to signify their assent to the terms hereof. Jurinek & Riskus, Inc.

By: John Jurinek Its President Address 99-737 WILLIAM DR.
Soc. Sec. No. 266-15-0674 Phone No. HINSDALE, IL. 630-323-4986
Laddie Drahos Address 6150 So. Bentley
Soc. Sec. No. 333-50-9438 Phone No. 21166 Park IL 60514
George A. Riskus Address 9600 PACIFIC CT.
Soc. Sec. No. 336-52-2412 Phone No. BURE RIDGE, IL 60521 630-794-0855

Soc. Sec. No. _____ Address _____

Soc. Sec. No. _____ Phone No. _____

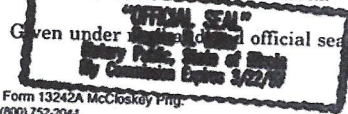
Soc. Sec. No. _____ Address _____

Soc. Sec. No. _____ Phone No. _____

STATE OF ILLINOIS) COUNTY OF _____) SS

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that John Jurinek, Laddie Drahos and George Riskus personally known to me to be the same person(s) whose name(s) subscribed to the foregoing instrument as beneficiaries or directors appeared before me this day in person, and acknowledged that them signed, sealed and delivered the said instrument as a free and voluntary act, for the usual purposes therein set forth.

Given under my hand and official seal, this 12th day of February, 19 97.



Regina Miller
Notary Public

EXTENSION OF TRUST AGREEMENT AMENDMENT

Whereas, The Chicago Trust Company, N.A., as Trustee under the terms of a certain agreement dated 11/15/1996, and known as Trust Number 96-040 is presently holding the record title to certain real estate;

And, whereas, the undersigned beneficiaries own the beneficial interest in said trust;

And, whereas, said trust in accordance with the provisions thereof, terminates twenty years from the date of said agreement;

And, whereas, it is the desire of the undersigned to extend the terms of said trust for an additional twenty years,

Now, therefore, for and in consideration of the sum of one dollar and other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, the undersigned hereby agree that said trust shall continue under the same terms and conditions for an additional twenty years, except however, that the compensations of the Trustee for signing deeds and other instruments shall be its current schedule of charges for services. In addition, the Trustee shall receive each year in advance for continuing to hold title to the real estate an annual fee equal to the fee charged by the Trustee prior to the date of this amendment, or a fee as determined by the Trustee's then current rate schedule, such final fee determination to be made in the sole discretion of the Trustee. Any real estate conveyed of record to the Trustee subsequent to the date of this amendment shall not be subject to this agreement unless the Trustee shall issue its written acceptance thereof.

In witness whereof, the beneficiaries have set their hands and seals, and the Trustee has caused these presents to be executed by its Vice President and Trust Officer, and attached its corporate seal, all the 15th day of April, 2016

Signature(s) of primary beneficiary(ies)
(include Social Security and/or Employer's Identification numbers)

X [Signature] SSN or EIN: ***-**-0614
Signature: Jurinek & Riskus, Inc.

Address: 9. S. 737 WILLIAM DR Phone: _____

City, State, Zip-Code: WILLOWBROOK, IL. 60527

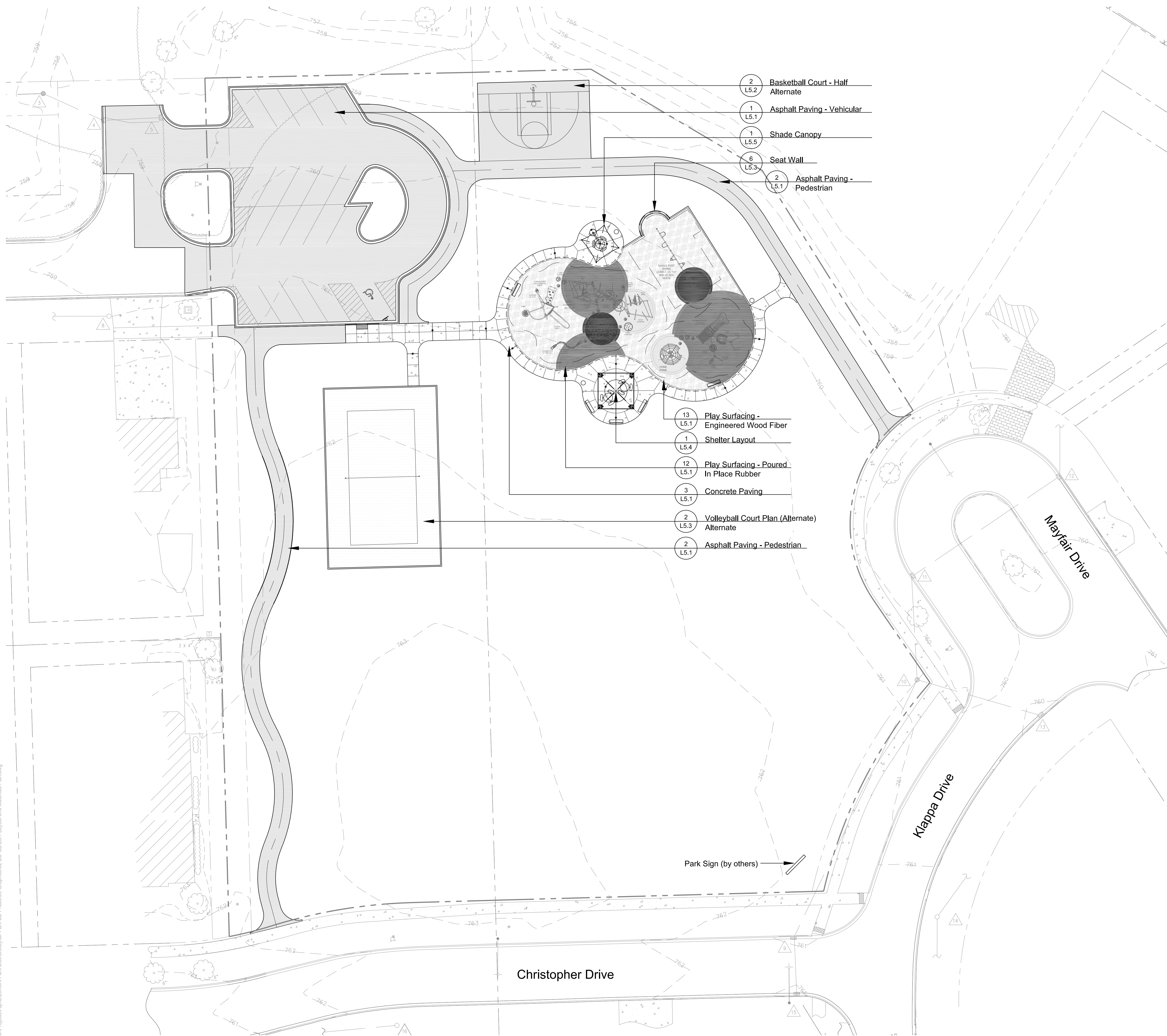
X [Signature] SSN or EIN: ***-**-2412
Signature: _____

Address: 9660 PACIFIC CR Phone: (708) 670-3543

City, State, Zip-Code: BURN RIDGE, IL 60527

THE CHICAGO TRUST CO., N.A.

By: _____
Vice President and Trust Officer



J:\Projects\Alpha\Lemont Park District\Mayfair Park CD Phase\09 Graphics\02 DO-COL\3.1 Layout and Materials Plan.dwg

- 2 L5.2 Basketball Court - Half Alternate
- 1 L5.1 Asphalt Paving - Vehicular
- 1 L5.5 Shade Canopy
- 6 L5.3 Seat Wall
- 2 L5.1 Asphalt Paving - Pedestrian
- 13 L5.1 Play Surfacing - Engineered Wood Fiber
- 1 L5.4 Shelter Layout
- 12 L5.1 Play Surfacing - Poured In Place Rubber
- 3 L5.1 Concrete Paving
- 2 L5.3 Volleyball Court Plan (Alternate) Alternate
- 2 L5.1 Asphalt Paving - Pedestrian

LAYOUT NOTES

1. Contractor responsible for field layout of all new improvements. Digital files of geometric information will be provided upon request in AutoCAD format. No additional payment will be made for adjustments necessary to construct the work as drawn.
2. Contractor responsible to coordinate work in order to obtain approval of all layout by Owners Representative prior to construction. No additional payment will be made to correct work if constructed incorrectly without pre-approval by Owners Representative.
3. Contractor responsible to maintain all layout stakes during construction. No additional payment will be made to replace layout stakes.
4. Place stakes at limits of playground, shelter, and every 25 feet on center along centerline of all pathways and fencing for review by the Owner's Representative prior to earthwork operations.
5. All curves and radii to be smooth and not segmented.
6. Contractor to provide layout stakes every 10 feet minimum for large arcs where radius points are not accessible.
7. Adjustment to stake locations due to discrepancies between coordinates and dimensions is incidental to the contract. No additional payments will be made for this work.
8. Contractor responsible to take delivery, assemble and install all materials, equipment, and furnishings, including those provided by owner, per manufacturer's instructions.
9. Place control and expansion joints as shown on plans and details for all curbs, walks, walls, steps, and concrete paving. Where joints are not shown, place control joints a maximum of 10 feet on center, expansion joints a maximum of 30 feet on center, and between all separate pours.
10. Contractor will maintain use zone requirements within play surfacing; no use zone will overlap or be tangent unless noted. Adjust playground barrier curb and/or adjacent paving as needed to accommodate play equipment fall zones.
11. Coordinate location of storm line with playground footings and obtain Owner's approval prior to installation.
12. Refer to specifications for additional conditions, standards and notes.

LAYOUT LEGEND

- Expansion Joint
- Center Line
- Concrete Paving
- Asphalt Paving
- Play Surfacing - Poured-in-Place Rubber
- Play Surfacing - Engineered Wood Fiber
- Play Surfacing - Sand



225 W. Jefferson Avenue
Naperville, IL 60540
T 630.961.1787
F 630.961.9925
hitchcockdesigngroup.com

PREPARED FOR
Lemont Park District

16028 127th Street
Lemont, Illinois 60439

PROJECT
Mayfair Park

16421 Christopher Drive
Lemont, Illinois 60439

CONSULTANTS
Civil Engineer
W-T Civil Engineering, LLC.
2675 Pratum Avenue
Hoffman Estates, Illinois 60192
T 224.293.6333
F 224.293.6444

Issue for Permit
August 14, 2017
REVISIONS

No	Date	Issue

CHECKED BY: JB DRAWN BY: LJL

SHEET TITLE
Layout and Materials Plan

SCALE IN FEET
1" = 20'
0' 10' 20' 60'

NORTH
SHEET NUMBER
L3.1
©2017 Hitchcock Design Group



LEMONT FIRE PROTECTION DISTRICT



BUREAU OF FIRE PREVENTION

15900 New Avenue
Lemont, IL 60439
Business: (630) 257-0191
Fax: (630) 257-5318
fpb@lemontfire.com
lemontfire.com

April 17, 2018

Building Department
Village of Lemont
418 Main Street
Lemont, IL. 60439

Re: New Horizon Homes
Lemont, IL, 60439

Dear Building Department;

This Department is in receipt of the site plans for the above mentioned project. The 2015 edition of the International Fire Code along with local amendments were used for this review. These plans are APPROVED AS NOTED subject to the following comments:

1. The address for the properties shall be permanently displayed, either on a sign or on the building. The type and size of the address a minimum four inches (4") - shall be in compliance with Lemont Fire Protection District Ordinance #16-01, and International Fire Code, 2015 Edition (Section 505).
2. Fire hydrants shall be located along a fire apparatus access road so that no portion of a building or facility will be more than 300 feet from any hydrant. Additional hydrants and mains shall be provided where required by the code official. Lemont Fire Protection District Ordinance #16-01 (Section 507.5).
3. When subject to physical damage from vehicles, fire hydrants shall be protected from damage by approved methods, including barriers in accordance with International Fire Code, 2015 Edition (Section 507.5.6).
4. Clear space around hydrants. A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved in accordance with International Fire Code, 2015 Edition (Section 507.5.5).
5. Two family dwellings shall be separated by a 2 hour masonry wall, per the Village of Lemont Building Codes Sections R317.1 and R31. Sprinklers may be substituted for the separation.

The review of these drawings does not relieve the contractor or building owner from designing and installing and completing this project per all code and standard requirements. Fire code and standard requirements not necessarily noted on these plans, in the plan review letter, or noted during inspections are still required to be provided and installed in full compliance with all adopted codes standards and ordinances. I will recommend approval of these plans with the stipulation that the above items are addressed and complied with. This APPROVAL with noted requirements of the Codes and Standards for the submitted project is not to be construed as final approval. This can only be granted after construction and occupancy inspections. If you should have any further questions please don't hesitate to contact me.

Sincerely,


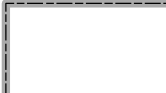


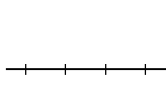

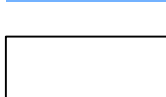
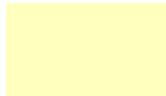














A handwritten signature in black ink, appearing to read 'Benjamin DeAnda', with a stylized flourish at the end.

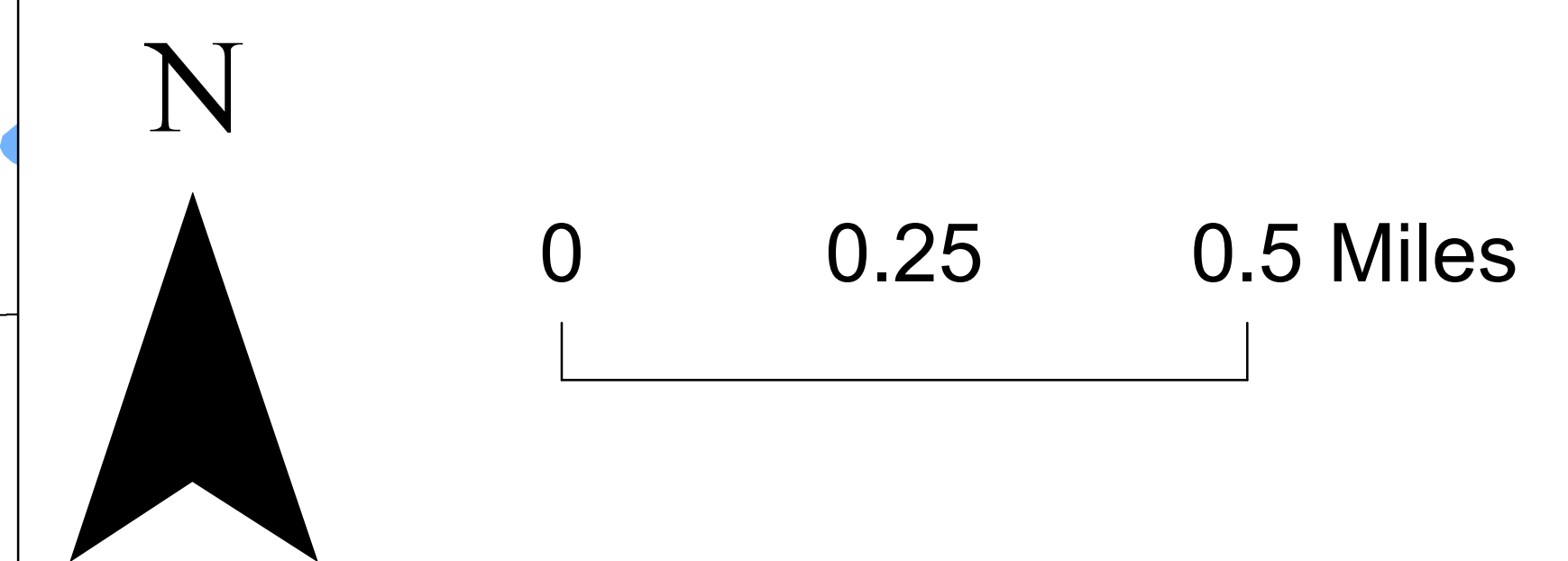
Benjamin DeAnda, MPA, MS, CFO, FM
Fire Marshal

cc: file
Village of Lemont Building Department

Village of Lemont 2018 Zoning Map

Legend

-  Corporate Boundary
 -  County Boundary
 -  Historic District
 -  Canal Overlay District
 -  Railroads
 -  Water
 -  Parcel
- Zoning Districts
-  R-1 Single-Family Detached Residential District
 -  R-2 Single-Family Detached Residential District
 -  R-3 Single-Family Detached Residential District
 -  R-4 Single-Family Detached Residential District
 -  R-4A Single-Family Preservation & Infill District
 -  R-5 Single-Family Attached Residential District
 -  R-6 Multi-Family Residential District
 -  B-1 Office/Retail Transitional District
 -  B-3 Arterial Commercial District
 -  B-4 Commercial Recreation District
 -  DD Downtown District
 -  INT Institutional District
 -  M-1 Light Manufacturing District
 -  M-2 General Manufacturing District
 -  M-3 Heavy Manufacturing District



This zoning map reflects
Village zoning as of April 1, 2018



TO: Planning & Zoning Commission
FROM: Jamie Tate, AICP, Consulting Planner
THRU: Jason Berry, AICP, Community Development Director
SUBJECT: Case 18-05 327 E Logan Street Variations
DATE: April 25, 2018

SUMMARY

Curt and Bridget Cepican, owners of the subject property, are requesting approval of three variations to the Lemont Unified Development Ordinance (UDO) §17.12.020. The requested variations are to allow construction of a 1,085 square foot garage and home addition in the rear of the property. Staff is recommending approval.



PROPOSAL INFORMATION

Case No. 18-05
Project Name 327 E Logan Street Addition Variations

General Information	
Applicant	Curt and Bridget Cepican
Status of Application	Owners
Requested Actions:	Variation to allow for building encroachment into the 30 ft. rear side yard setback; allow for area of attached garage to exceed 10% of lot area; and allow for driveway width to exceed 22 feet.
Site Location	327 E Logan Street (PIN 22-29-202-041-0000)
Existing Zoning	R-4A (Single-Family Preservation and Infill District)
Size	0.12 ac (5,200 sf)
Existing Land Use	Single-family residence
Surrounding Land Use/Zoning	North: R-4A (Vacant lot owned by Village of Lemont)
	South: R-4A (Detached single-family residence)
	East: R-4A (Detached single-family residence)
	West: R-4A (Detached single-family residence)
Comprehensive Plan 2030	The Comprehensive Plan classifies this site infill Residential (INF)

BACKGROUND & HISTORY

The Cepicans have been working with the Village of Lemont since 2015 to purchase a portion of the approx. 3.6 acres of vacant “remnant” land adjacent to their property in order to construct an addition to their home. An offer was made by the Cepicans in September, 2015 to purchase 3 lots to the north of their property (Lots 8, 9, and 10 in Brennan’s Subdivision), totaling 19,154 square feet. Through negotiation with the Village Attorney, a purchase of a portion of these lots (approx. 4,000 sq. ft.) was offered at a fair market value of \$0.67 per square foot. The additional land would allow for the Cepicans to meet the rear setback variance and potentially other requested variations. Final disposition of the property was discussed at the January 8, 2018 Committee of the Whole meeting. With a new Board and some disagreement with the appraised value of the land, the Village Board no longer desires to sell the additional land to the Cepicans. The Board encouraged Staff to assist the homeowners in an application for a variation for the purpose of constructing their addition.



PROPOSAL

The existing home is a 1,110 square foot ranch style with a detached two-car garage in the rear of the property. There is an asphalt driveway along the eastern property line that leads to the rear of the property providing access to the detached garage. This driveway is located in the vacated Stephen Street right-of-way.

The subject property is zoned R-4A Single-Family Preservation and Infill District. The existing lot meets the required lot size and width. Per the UDO, this zoning classification requires a rear setback of 30 ft. from the property line to the principal structure. The property owners are requesting to encroach into their rear yard setback by 22 feet for their proposed home and garage addition. The proposed rear setback for the addition is 8 feet.

The 1,085 sf addition would bring the total sf of the home area to 2,195 sf. This provides 42% of the lot coverage. There is an existing deck that serves as the front entranceway located on the eastern side of the home and the driveway that leads to the detached garage. R-4A allows up to maximum of 65% lot coverage. When taking into consideration the existing driveway, deck, and all impervious surface with the proposed addition, the lot is at 3,385 square feet of coverage (65%).

Also in the UDO, there is a section that regulates Garages and Other Accessory Structures in the R-4A Zoning District. The area of attached garages shall not exceed 10% of the lot area. The lot area is 5,200 square feet, therefore the maximum garage area allowed would be 520 square feet. If the applicant were able to purchase the land from the Village as previously promised, the lot area would have increased and they could have likely met this requested variation. The UDO also states that driveway widths shall not exceed 22 feet. The driveway width will not change at the curb cut or as it follows the eastern side of the home as it leads to the rear of the property. The driveway will need to increase slightly to allow access into the garage which appears to be approximately 30 feet in width. This will require a variation from the Village UDO.

In summary, the requested variances from the UDO for the garage and home addition at 327 E Logan are as follows:

- Table 17-07-01 Lot and Dimensional Standards for the R Districts: To allow an encroachment into the rear 30 foot setback. Staff supports this variation due to the history of the project and the 3.6 acres of vacant, Village-owned property in the rear. The homeowners have been communicating and working with the Village since [2015] and had agreed to terms with the Village Attorney for land behind their property in order to construct their addition without the rear yard variation. Following the change in Administration and Staff, the feeling from the Village in regards to the sale of the land has changed. There is not a home located on the lot behind 327 E Logan Street



so the rear setback encroachment will not affect the neighboring properties. The addition meets the side setbacks in R-4A where there are neighboring homes.

- §17.07.020 F.7: To allow the area of the attached garage to exceed 10% of the lot area. The lot area is 5,200 sf and the proposed garage is 1,085 sf. The garage as proposed is 21% of the lot area. Staff supports this variation due to the garage being a side loaded garage located in the rear portion of the property with an elevation change that leaves the garage at a lower grade than of the street and not visible from Logan Street.
- §17.07.020 F.8: To allow a driveway width of more than 22 feet. Staff is in support of this variation for this particular request. The curb cut on Logan Street will not be changed and the width of the garage throat alongside the home will not be widened due to the addition. The only portion of the garage that will need to be larger than 22 feet will be the part of the driveway that is closest to the garage doors leading into the garage. This area will not be visible from the right of way and is tucked behind the existing deck. Even with the extended driveway and addition, the lot coverage will not be greater than the maximum allowed.

STANDARDS FOR VARIATIONS

UDO Section 17.04.150.D states that variation requests must be consistent with the following three standards to be approved:

1. The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

Analysis. The general purpose of the UDO is specified in UDO Section 17.01.050. Of the eight components listed, five are either not applicable to or unaffected by the variation request.

- ***Ensuring adequate natural light, air, privacy, and access to property.***
The proposed variations would not negatively impact light or air to the property.
 - ***Protecting the character of established residential neighborhoods.***
The proposed variations would not affect the character of the established residential neighborhood. The addition is proposed in the rear of the property and does not create more bulk from the right of way.
 - ***Conserving the value of land and buildings throughout the Village.***
The proposal is conserving the use of an existing building and making improvements to the land.
2. The plight of the owner is due to unique circumstances, and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose



exceptional hardships due to the special and unique conditions that are not generally found on other properties in the same zoning district;

Analysis. The UDO states that in making a determination whether there are unique circumstances, practical difficulties, or particular hardships in a variation petition, the Planning and Zoning Commission shall take into consideration the factors listed in UDO §17.04.150.D.2.

- ***Particular physical surroundings, shape, or topographical conditions results in a particular hardship upon the owner as distinguished from a mere inconvenience.*** The shape and topographical conditions of the property do somewhat pose a hardship. There is an elevation change from the front of the property to the rear. The lot is small, although adjacent to 3.6 acres of vacant land, and as such not able to adequately accommodate an attached garage and storage space.
- ***The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district.*** The conditions upon which the petition for variations are based on may be somewhat applicable to other properties within the same zoning district. Although there are similar sized lots throughout the Village's R-4A Zoning District, the difference between this lot and others is the adjacent rear property is vacant land owned by the Village.
- ***The alleged difficulty or hardship has not been created by any person presently having an interest in the property.*** The difficulty is created by the current property owners (the applicants) as the request for the variations is from the homeowners to construct an addition that requires variations. The homeowners may not have requested the variations if the Village land behind them was sectioned off and sold for the purpose of this addition.
- ***The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject project is located.*** The request will not be detrimental to public welfare or injurious to other properties or improvements. The addition will not be very visible from the street. The garage is a side load garage located well behind the front setback line. There is an existing home and mature landscaping to the east that will block much of the driveway and break up the three car garage façade.
- ***The variation will not impair an adequate supply of light and air to adjacent properties or substantially increase congestion in the public street or increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood.*** The variation would not endanger public safety, substantially



impair property values, diminish adequate supply of light or air, or increase the danger of fire or congestion.

3. The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

Analysis. In evaluating the variation requests for this property, it is not determined the request will alter the essential character of the locality and be a substantial detriment to the adjacent property. The property to the east, 331 E Logan Street, is on a wider and deeper lot with a separation of over 30 feet between buildings. The addition will bring these two homes in a more proper scale with one another. The home to the west, 325 E Logan Street, is also on a larger lot than the subject property. The detached garage for 325 E Logan is closer to the subject property than the actual home as it is in line with the front setback line of both these homes. Adding to the rear of the subject property should not be a substantial detriment to this adjacent property.

RECOMMENDATIONS

The UDO requires that the applicant demonstrate consistency with all three of the variation standards contained within §17.04.150.D. and staff finds that all the standards are not substantially met. Staff still recommends approval of the variations due to the history of the site and the unique lot location with no neighbors behind the subject property. The bulk of the addition is hidden in the rear with the side loading garage and extended driveway. There is mature landscaping on the subject property and on both neighboring home sites to help conceal the side loaded garage and wider driveway.

ATTACHMENTS

1. Site photographs
2. Aerial Map (April 18, 2018)
3. Variation Application Form (March 16, 2018)
4. Boundary and Topographic Survey (April 17, 2018)
5. Proposed Addition Setback Exhibit (April 17, 2018)
6. 327 E Logan Plat of Survey (May 14, 2013)
7. Ordinance Approving a Plat of Vacation of Stephen Street (June 23, 1997)
8. Sidwell Map (1987)
9. Offer to Purchase Vacant Land (September 24, 2015)
10. VB Memo 327 E Logan Sale of Village Property (October 15, 2015)
11. Jeff Stein Email 327 Logan Escrow Check (March 13, 2017)
12. 327 Logan St Lot Purchase (n.d.)
13. Committee of the Whole Meeting Minutes (January 8, 2018)
14. Cepican Residence Plans (n.d.)



Attachment 1 Site photographs



Figure 1: Streetview looking north from Logan Street directly at subject property.

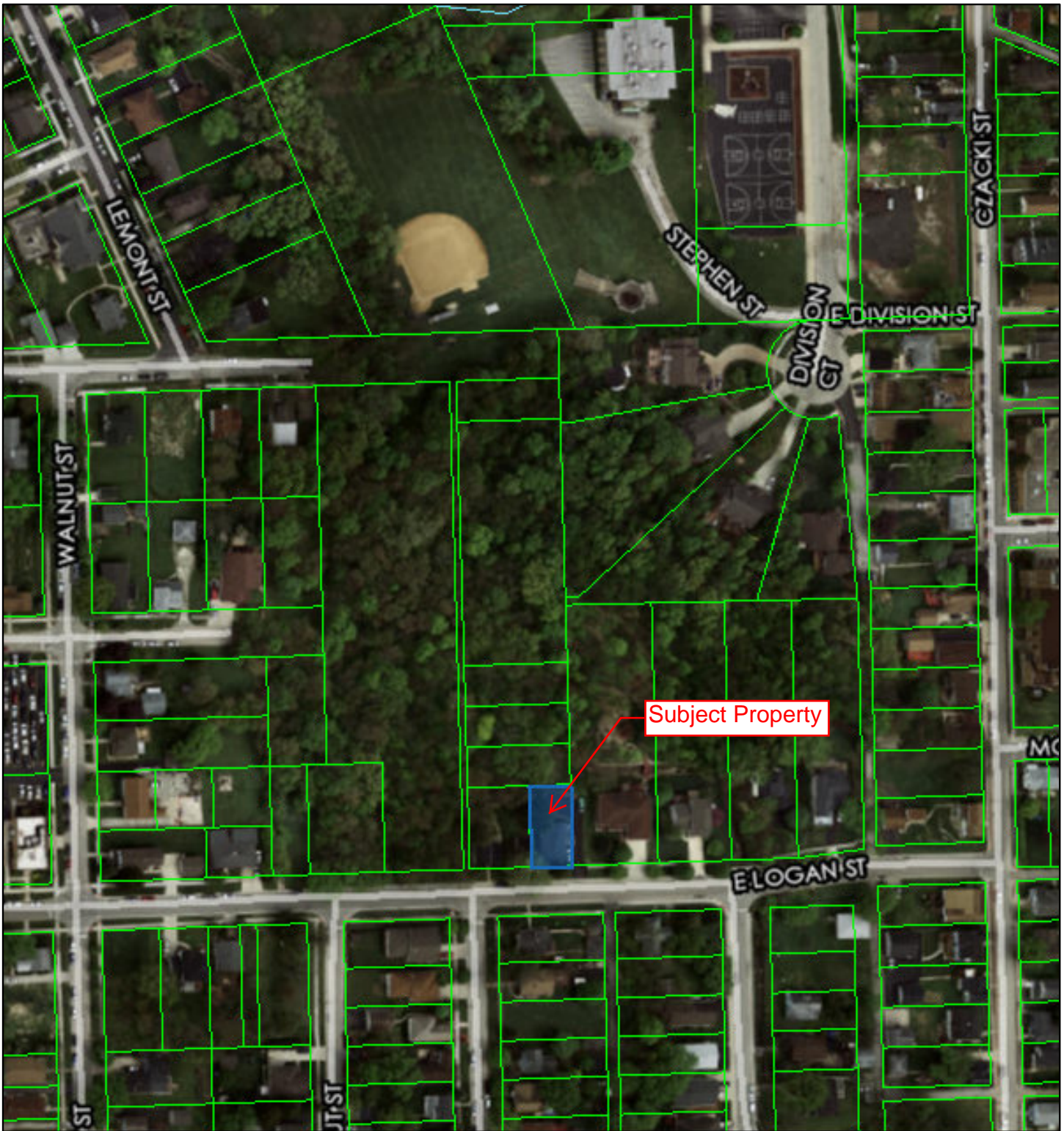


Figure 2: Streetview looking northwest down the driveway. The roof of the existing detached garage is see in the background.



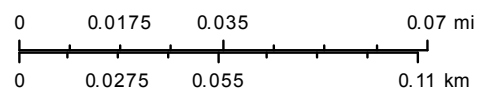
Figure 3: Streetview looking northeast. Mature trees and landscaping block the view of the home. The change in elevation resulting in basement exposure can be vaguely seen in the background.

327 E Logan Aerial Map



April 18, 2018

1:2,083



Cook County GIS Dept - Imagery from 2016

Variation Application Form

APPLICANT INFORMATION

CURT + BRIDGET CEPICAN
Applicant Name

327 E. LOGAN ST, LEMONT
Company/Organization

708-846-4875 708-712-4328
Applicant Address

BRIDGET CEPICAN@GMAIL.COM CURT CEPICAN@GMAIL.COM
Telephone & Fax

E-mail

CHECK ONE OF THE FOLLOWING:

- Applicant is the owner of the subject property and is the signer of this application.
- Applicant is the contract purchaser of the subject property.
- Applicant is acting on behalf of the beneficiary of a trust.
- Applicant is acting on behalf of the owner.

PROPERTY INFORMATION

327 E. LOGAN ST, LEMONT
Address of Subject Property/Properties

22-29-202-041-0000
Parcel Identification Number of Subject Property/Properties

100 FT X 52 FT
Size of Subject Property/Properties

DESCRIPTION OF REQUEST

HOME ADDITION ON OWNERS PROPERTY - WILL NOT BE ON VILLAGE
Brief description of the proposed variation
PROPERTY. SQ FOOTAGE WILL EXCEED AMOUNT ALLOWED ON PROPERTY SIZE

REQUIRED DOCUMENTS

See Form 500-A, *Variation Application Checklist of Required Materials*, for items that must accompany this application.

FOR OFFICE USE ONLY

Application received on: _____	By: _____
Application deemed complete on: _____	By: _____
Current Zoning: _____	
Fee Amount Enclosed: _____	Escrow Amount Enclosed: _____

Variation Criteria Worksheet

Unified Development Ordinance (UDO) Section 17.04.150.D.1 establishes the criteria that all applications for variations must meet. In addition, Section 17.04.150.D.2 of the Unified Development Ordinance requires that the Planning & Zoning Commission or Zoning Hearing Officer take the following conditions into consideration when determining whether a request qualifies for a variation. You may want to consider the following in your variation request:

- The particular physical surroundings, shape, or topographical condition of the specific property involved results in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations of the Unified Development Ordinance were fulfilled;
- The conditions upon which the petition for variation is based would not be applicable, generally, to other property within the same zoning classification;
- The alleged difficulty or hardship has not been created by any person presently having an interest in the property;
- The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject property is located; and
- The variation will not impair an adequate supply of light and air to adjacent properties, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

Please describe below how your variation request meets the criteria of UDO Section 17.04.150.D.1. Attach additional sheets if necessary.

UDO Section 17.04.150.D.1.a

The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

WE WOULD LIKE TO ADD ONTO OUR HOME BUT THIS WILL NOT EXCEED OUR PROPERTY OR GO ANY FURTHER THAN OUR GARAGE IS NOW. WE WILL BE CONNECTING OUR GARAGE WHICH IS NOW DETACHED AND ADDING LIVING SPACE ABOVE.

UDO Section 17.04.150.D.1.b

The plight of the owner is due to unique circumstances and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unusual conditions that are not generally found on other properties in the same zoning district; and

WE REQUESTED TO BUY THE LAND BEHIND OUR HOME
WHICH IS OWNED BY THE VILLAGE OF LEMONT. WE WERE
TOLD WE COULD AND HAD \$7500 IN ESCROW FOR OVER
A YEAR WHEN WE WERE TOLD WE COULD NO LONGER
BUY THE LAND

UDO Section 17.04.150.D.1.c

The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

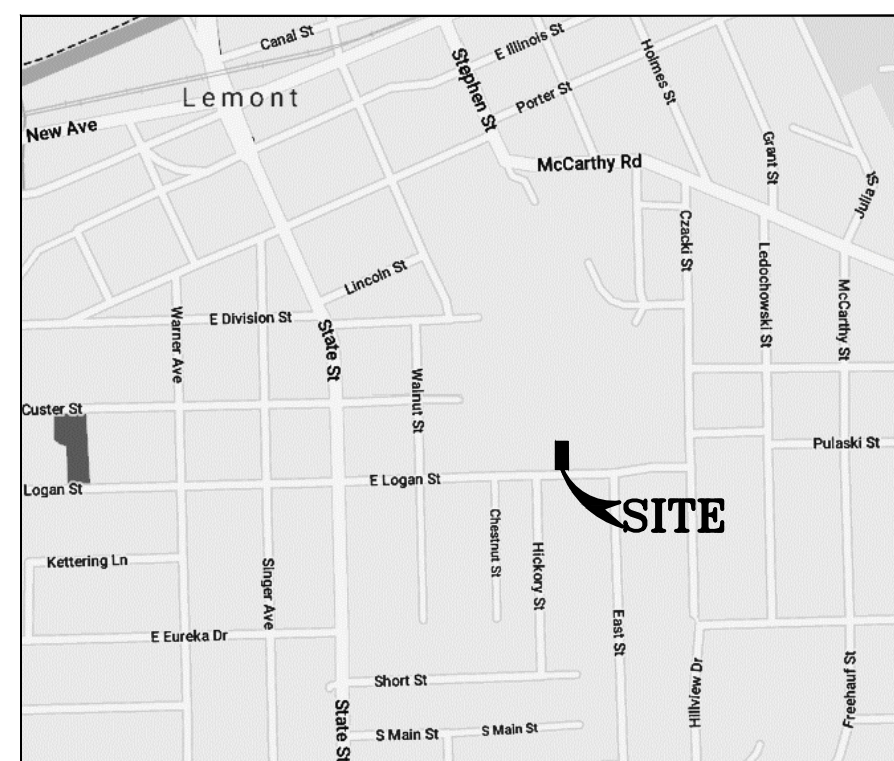
THIS SHOULD NOT AFFECT OUR NEIGHBORS

BOUNDARY AND TOPOGRAPHIC SURVEY

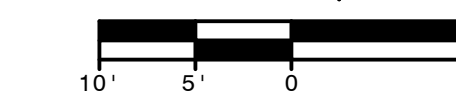
OF

PARCEL ONE, THE EASTERLY 52 FEET OF LOTS 11 AND 12 IN BLOCK 2 (BRENNAN'S SUBDIVISION) IN JABEZ B. DOWSE'S ADDITION TO LEMONT IN SECTION 29, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY ILLINOIS.

LAND AREA = 5200 SF
OR 0.12 ACRES MORE OR LESS



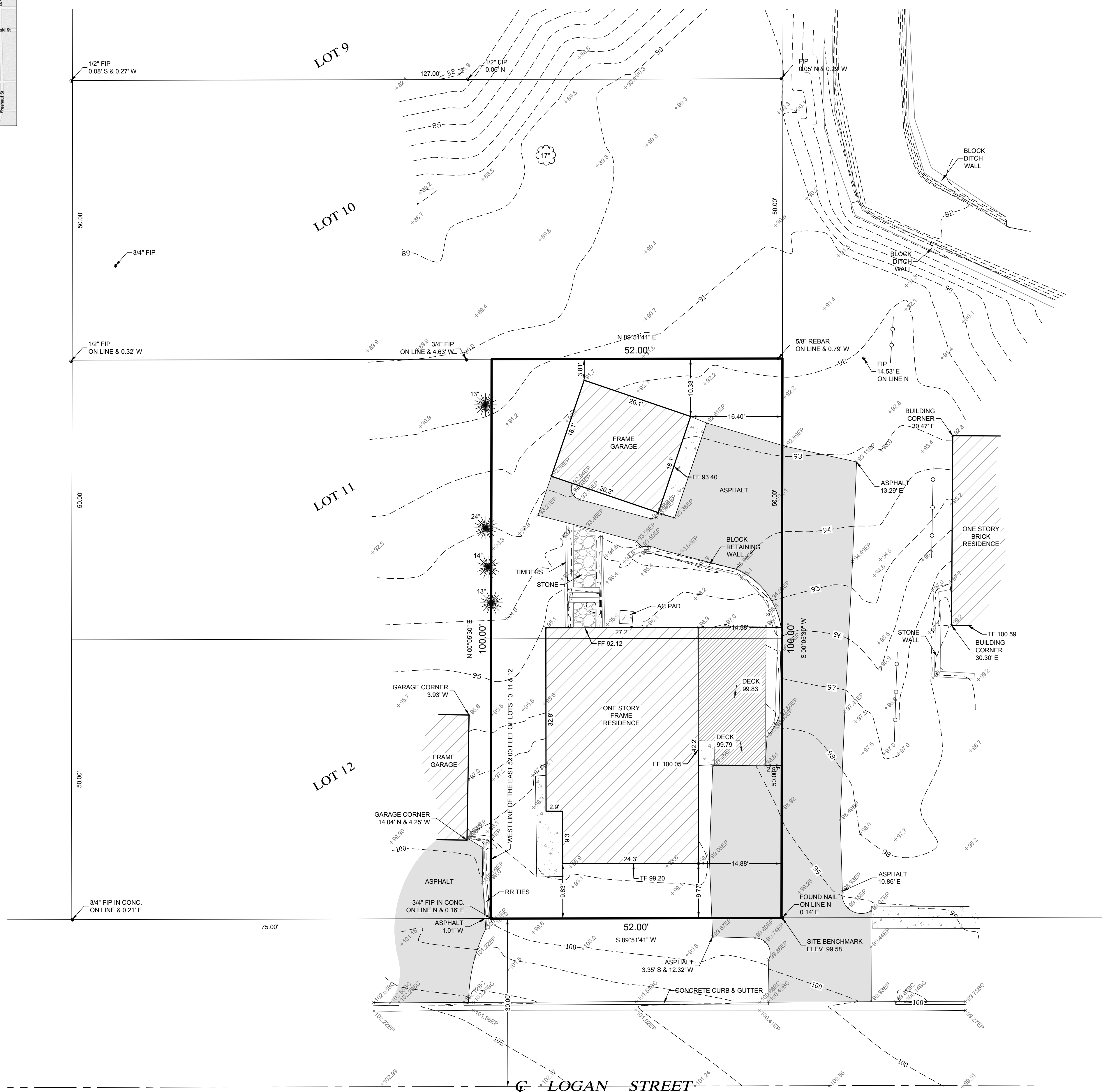
LOCATION MAP



BASIS OF BEARING:
NORTH LINE OF LOGAN STREET AS FOUND
MONUMENTED AND OCCUPIED.
S 89°51'39" E (A)

LEGEND

—	EXISTING BOUNDARY	⊙	EXIST. MANHOLE
- - -	EXISTING EASEMENT	○	EXIST. CATCH BASIN
- · - · -	EXISTING SETBACK	□	EXIST. CURB INLET
- · - · -	EXISTING FENCE	- - -	STORM SEWER
—	EXISTING BUILDING	- - -	SANITARY SEWER
—	CENTER LINE	⊕	WATER VALVE
B.L.	BUILDING LINE	⊕	BUFFALO BOX (B-BOX)
F.I.P.	FOUND IRON PIPE	⊕	WATER VALVE & VAULT
T/F	TOP OF FOUNDATION	⊕	FIRE HYDRANT
G/F	GARAGE FLOOR ELEVATION	⊕	GAS METER
▨	ASPHALT SURFACE	⊕	ELECTRIC METER
▨	BUILDING/STRUCTURE	⊕	ELECTRIC PEDESTAL
▨	CONCRETE SURFACE	⊕	OVERHEAD WIRES
		⊕	UTILITY POLE
		⊕	PHONE PEDESTAL
		⊕	CABLE TV PEDESTAL
		⊕	LIGHT POST
		⊕	STREET SIGN
		⊕	DOWNSPOUT
		⊕	TREE



- GENERAL NOTES:
- COMPARE THIS PLAT, LEGAL DESCRIPTION AND ALL SURVEY POINTS AND MONUMENTS BEFORE ANY CONSTRUCTION, AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.
 - DO NOT SCALE DIMENSIONS FROM THIS PLAT.
 - THE LOCATION OF THE PROPERTY LINES SHOWN ON THE FACE OF THIS PLAT ARE BASED UPON THE DESCRIPTION AND INFORMATION FURNISHED BY THE CLIENT. THE PARCEL WHICH IS DEFINED MAY NOT REFLECT ACTUAL OWNERSHIP, BUT REFLECTS WHAT WAS SURVEYED.
 - MANHOLES, INLETS AND OTHER UTILITY RIMS OR GRATES SHOWN HEREON ARE FROM FIELD LOCATION OF SUCH AND ONLY REPRESENT SUCH UTILITY IMPROVEMENTS WHICH ARE VISIBLE FROM ABOVE GROUND AT THE TIME OF SURVEY, THROUGH A NORMAL SEARCH AND WALK THROUGH OF THE SITE. THE LABELING OF THESE MANHOLES (SANITARY, STORM, WATER, ETC.) IS BASED SOLELY ON THE "STAMPED" MARKINGS OF THE RIM. NO UNDERGROUND OBSERVATIONS HAVE BEEN MADE TO VERIFY THE ACTUAL USE OR EXISTENCE OF THE UNDERGROUND UTILITIES.
 - THIS SURVEY MAY NOT REFLECT ALL UTILITIES OR IMPROVEMENTS IF SUCH ITEMS ARE HIDDEN BY LANDSCAPING OR ARE COVERED BY SUCH ITEMS AS DUMPSTERS, TRAILERS, CARS, DIRT, PAVING OR SNOW. NO UNDERGROUND UTILITIES OR DRAIN TILES CAN BE ACCURATELY LOCATED UNLESS THEY ARE EXCAVATED. IN THE JURISDICTION OF THIS PARCEL, JULIE (OR 811) LOCATES REQUESTED BY A SURVEYOR MAY BE IGNORED OR LOCATED INADEQUATELY/INCOMPLETELY. IF THE CLIENT REQUIRES MORE DETAILED INFORMATION REGARDING UTILITIES, THE CLIENT IS ADVISED THAT EXCAVATION AND/OR A PRIVATE UTILITY LOCATE MAY BE NECESSARY. LAWN SPRINKLER SYSTEMS, IF ANY, ARE NOT SHOWN ON THIS SURVEY. AT THE TIME OF THIS SURVEY, SNOW DID NOT COVER THE SITE.
 - OTHER THAN VISIBLE OBSERVATIONS NOTED HEREON, THIS SURVEY MAKES NO STATEMENT REGARDING THE ACTUAL PRESENCE OR ABSENCE OF ANY SERVICE.
 - CALL JULIE AT 1-800-892-0123 FOR FIELD LOCATION OF UNDERGROUND UTILITIES PRIOR TO DOING ANY CONSTRUCTION WORK.
 - PUBLIC AND/OR PRIVATE RECORDS HAVE NOT BEEN SEARCHED TO PROVIDE ADDITIONAL INFORMATION. OVERHEAD WIRES AND POLES (IF ANY EXIST) ARE SHOWN HEREON, HOWEVER THEIR FUNCTION AND DIMENSIONS HAVE NOT BEEN SHOWN.
 - RESTRICTIONS THAT MAY BE FOUND IN LOCAL BUILDING AND/OR ZONING CODES HAVE NOT BEEN SHOWN. HEIGHTS AND BUILDING RESTRICTIONS (IF ANY) HAVE NOT BEEN SHOWN. ONLY THOSE SETBACK RESTRICTIONS SHOWN ON THE RECORDED SUBDIVISION OR IN THE TITLE COMMITMENT HAVE BEEN SHOWN. THIS PROPERTY IS SUBJECT TO SETBACKS AS ESTABLISHED BY THE GOVERNING JURISDICTION'S ZONING ORDINANCES AND/OR CODES AS AMENDED.

SITE BENCHMARK #1
FOUND PK NAIL AT SOUTHEAST PROPERTY CORNER
ELEVATION = 99.58 (ASSUMED)

STATE OF ILLINOIS
COUNTY OF DUPAGE

I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY AND TOPOGRAPHIC SURVEY," AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

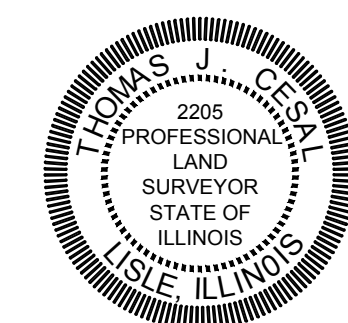
FIELD WORK WAS COMPLETED ON APRIL 13TH, 2018

DATED, THIS 18TH DAY OF APRIL, A.D., 2018, AT LISLE, ILLINOIS.

Thomas J. Casal

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2205
MY LICENSE EXPIRES NOVEMBER 30, 2018.
ILLINOIS PROFESSIONAL DESIGN FIRM PROFESSIONAL
ENGINEERING CORPORATION NO. 184-001245

CLIENT: VILLAGE OF LEMONT



DATE

1	2	3	4	5	6
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BOUNDARY AND TOPOGRAPHIC SURVEY
327 E. LOGAN STREET
LEMONT, ILLINOIS

Morris Engineering, Inc.
Civil Engineering • Consulting
Land Surveying
515 Warrenville Road, Lisle, IL 60532
Phone: (630) 271-0770
Survey: (630) 271-0599
FAX: (630) 271-0774
Website: www.mechil.com



FIELD CREW: GB
DRAWN BY: CJS
CHECKED BY: TC
APPROVED BY: TC

DATE: 4/17/2018
SCALE: HORIZ 1"=10'
VERT NONE

SHEET
1
OF 1 SHEETS
PROJ # 18-LT-2000

PROPOSED ADDITION SETBACK EXHIBIT

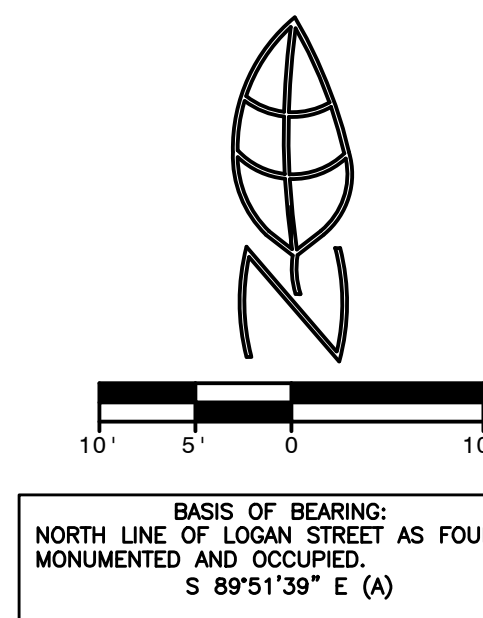
OF

PARCEL ONE, THE EASTERLY 52 FEET OF LOTS 11 AND 12 IN BLOCK 2 (BRENNAN'S SUBDIVISION) IN JABEZ B. DOWSE'S ADDITION TO LEMONT IN SECTION 29, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY ILLINOIS.

LAND AREA = 5200 SF
OR 0.12 ACRES MORE OR LESS



LOCATION MAP

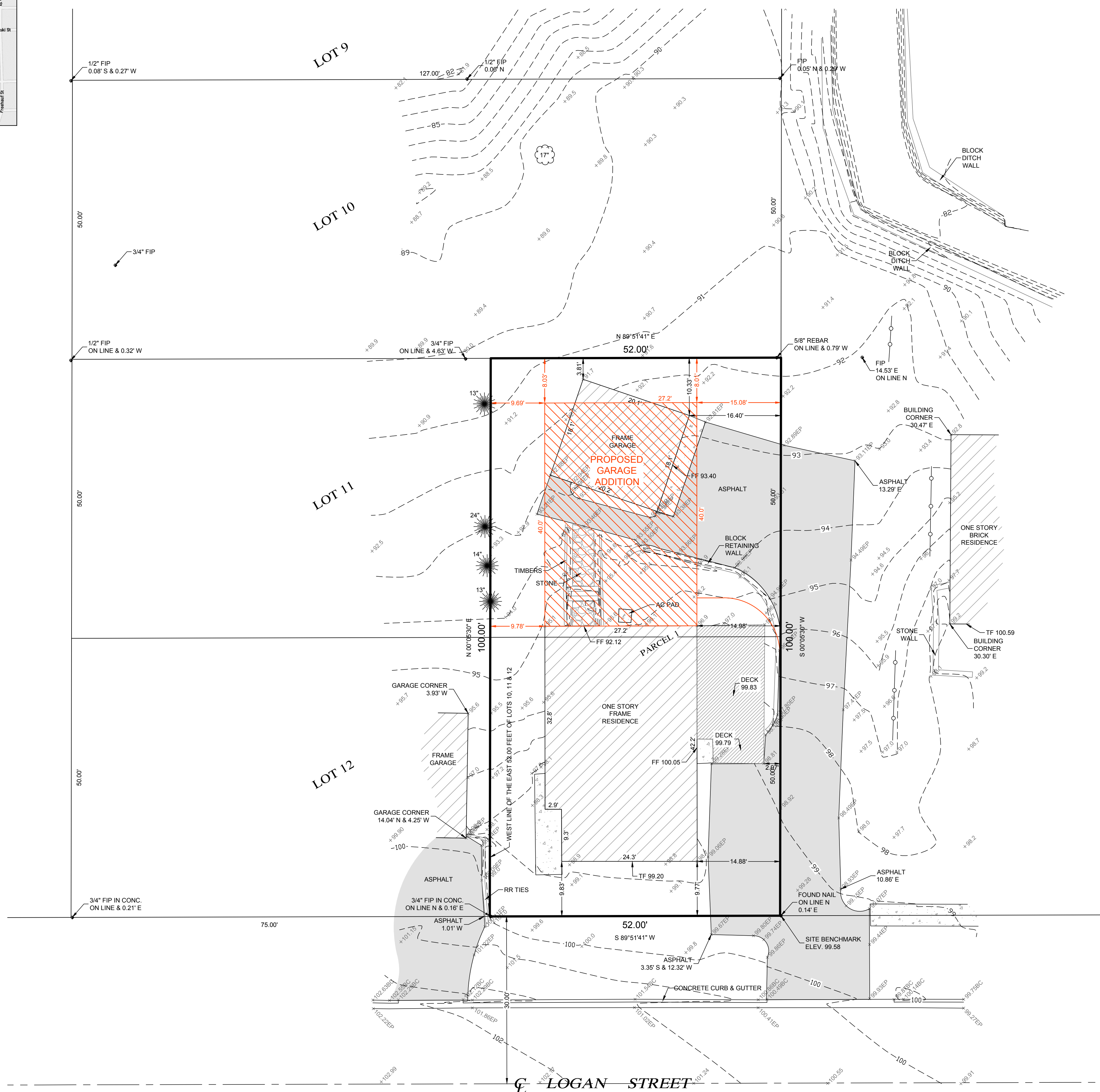


BASIS OF BEARING:
NORTH LINE OF LOGAN STREET AS FOUND
MONUMENTED AND OCCUPIED.
S 89°51'39" E (A)

LEGEND

—	EXISTING BOUNDARY	⊙	EXIST. MANHOLE
- - -	EXISTING EASEMENT	○	EXIST. CATCH BASIN
- · - · -	EXISTING SETBACK	□	EXIST. CURB INLET
- · - · -	EXISTING FENCE	-	STORM SEWER
—	EXISTING BUILDING	-	SANITARY SEWER
—	CENTER LINE	⊕	WATER VALVE
B.L.	BUILDING LINE	⊕	BUFFALO BOX (B-BOX)
F.I.P.	FOUND IRON PIPE	⊕	WATER VALVE & VAULT
T/F	TOP OF FOUNDATION	⊕	FIRE HYDRANT
G/F	GARAGE FLOOR ELEVATION	⊕	GAS METER
▨	ASPHALT SURFACE	⊕	ELECTRIC METER
▨	BUILDING/STRUCTURE	⊕	ELECTRIC PEDESTAL
▨	CONCRETE SURFACE	⊕	OVERHEAD WIRES
		⊕	UTILITY POLE
		⊕	PHONE PEDESTAL
		⊕	CABLE TV PEDESTAL
		⊕	LIGHT POST
		⊕	STREET SIGN
		⊕	DOWNSPOUT
		⊕	TREE

- GENERAL NOTES:
- COMPARE THIS PLAT, LEGAL DESCRIPTION AND ALL SURVEY POINTS AND MONUMENTS BEFORE ANY CONSTRUCTION, AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.
 - DO NOT SCALE DIMENSIONS FROM THIS PLAT.
 - THE LOCATION OF THE PROPERTY LINES SHOWN ON THE FACE OF THIS PLAT ARE BASED UPON THE DESCRIPTION AND INFORMATION FURNISHED BY THE CLIENT. THE PARCEL WHICH IS DEFINED MAY NOT REFLECT ACTUAL OWNERSHIP, BUT REFLECTS WHAT WAS SURVEYED.
 - MANHOLES, INLETS AND OTHER UTILITY RIMS OR GRATES SHOWN HEREON ARE FROM FIELD LOCATION OF SUCH AND ONLY REPRESENT SUCH UTILITY IMPROVEMENTS WHICH ARE VISIBLE FROM ABOVE GROUND AT THE TIME OF SURVEY, THROUGH A NORMAL SEARCH AND WALK THROUGH OF THE SITE. THE LABELING OF THESE MANHOLES (SANITARY, STORM, WATER, ETC.) IS BASED SOLELY ON THE "STAMPED" MARKINGS OF THE RIM. NO UNDERGROUND OBSERVATIONS HAVE BEEN MADE TO VERIFY THE ACTUAL USE OR EXISTENCE OF THE UNDERGROUND UTILITIES.
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 - OTHER THAN VISIBLE OBSERVATIONS NOTED HEREON, THIS SURVEY MAKES NO STATEMENT REGARDING THE ACTUAL PRESENCE OR ABSENCE OF ANY SERVICE.
 - CALL JULIE AT 1-800-892-0123 FOR FIELD LOCATION OF UNDERGROUND UTILITIES PRIOR TO DOING ANY CONSTRUCTION WORK.
 - PUBLIC AND/OR PRIVATE RECORDS HAVE NOT BEEN SEARCHED TO PROVIDE ADDITIONAL INFORMATION. OVERHEAD WIRES AND POLES (IF ANY EXIST) ARE SHOWN HEREON, HOWEVER THEIR FUNCTION AND DIMENSIONS HAVE NOT BEEN SHOWN.
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SITE BENCHMARK #1
FOUND PK NAIL AT SOUTHEAST PROPERTY CORNER
ELEVATION = 99.58 (ASSUMED)

DATE: _____

PROPOSED ADDITION SETBACK EXHIBIT
327 E. LOGAN STREET
LEMONT, ILLINOIS

Morris Engineering, Inc.
Civil Engineering • Consulting
Land Surveying
515 Warrville Road, Lisle, IL 60532
Phone: (630) 271-0770
Survey: (630) 271-0599
FAX: (630) 271-0774
Website: www.mechil.com



FIELD CREW: GB
DRAWN BY: CJS
CHECKED BY: TC
APPROVED BY: TC
DATE: 4/17/2018
SCALE: HORIZ 1"=10'
VERT NONE

SHEET
1
OF 1 SHEETS
PROJ # 18-LT-2000

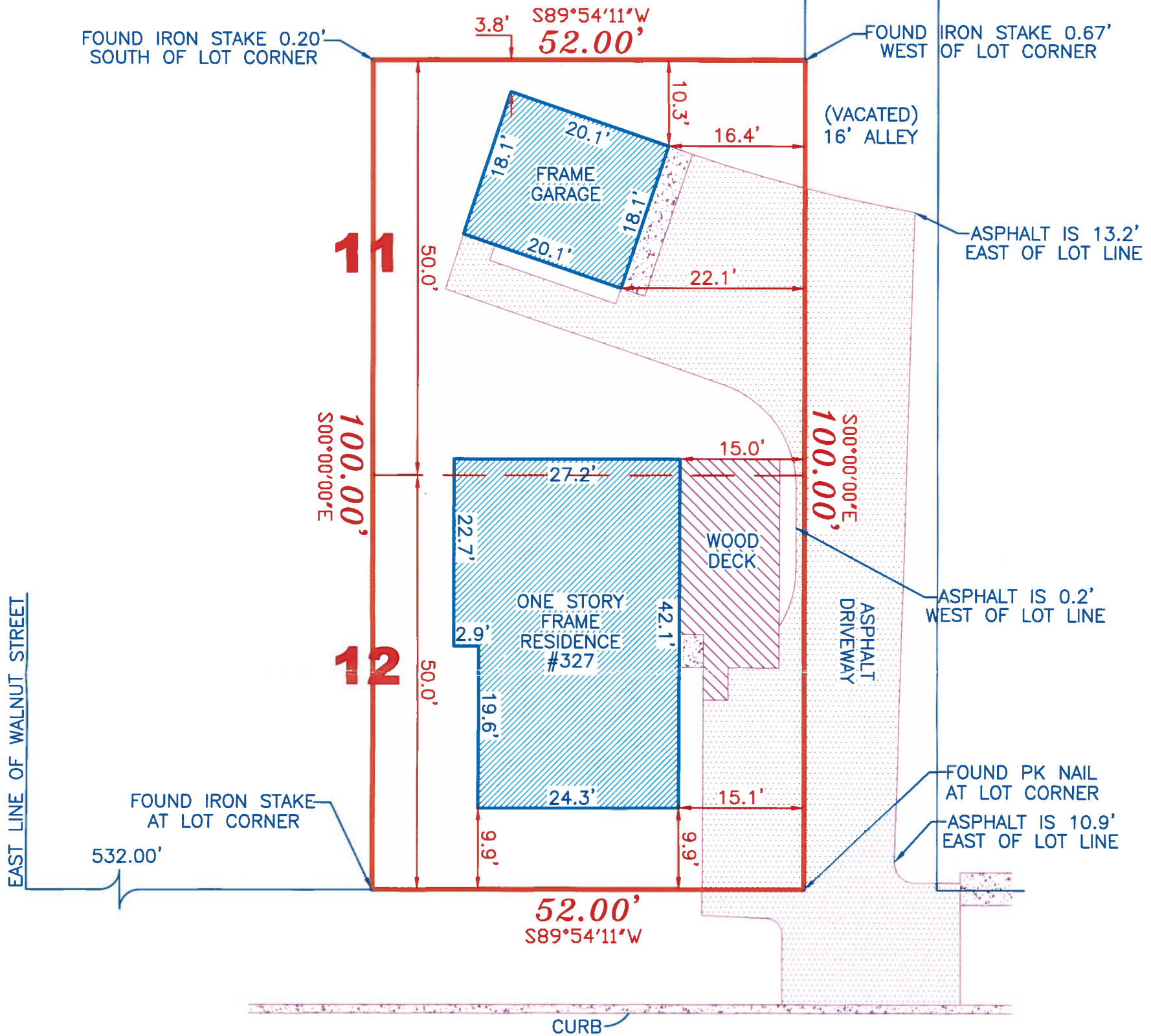
PLAT OF SURVEY

OF

THE EASTERLY 52 FEET OF LOTS 11 AND 12 IN BLOCK 2 (BRENNAN'S SUBDIVISION) IN JAREZ B. DOWSE'S ADDITION TO LEMONT, IN SECTION 29, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMON ADDRESS: 327 LOGAN STREET

NOTE:
JNT LAND SURVEY WAS ASKED TO WRITE A LEGAL DESCRIPTION FOR THIS SURVEY, BASED UPON TAX ID NUMBERS, VERBAL COMMUNICATION, OR BY OTHER MEANS. THIS LEGAL CORRECTLY IDENTIFIES THE PROPERTY SURVEYED. JNT LAND SURVEY DOES NOT OFFER ANY GUARANTEE THAT THE CLIENT OWNS ALL, OR ANY PART OF THE PROPERTY. THIS LEGAL DESCRIPTION SHOULD BE COMPARED TO A TITLE POLICY TO MAKE CERTAIN THAT THE CLIENT DOES IN FACT OWN THE ENTIRE TRACT OF LAND SURVEYED.



LOGAN STREET R.O.W. 66.00'

CLIENT: CURT SEPICAN

AREA OF SURVEY = 5200 SQ.FT.



STATE OF ILLINOIS } S. S.
COUNTY OF WILL }

JNT LAND SURVEYING SERVICES INCORPORATED HEREBY CERTIFIES THAT IT HAS SURVEYED THE TRACT OF LAND ABOVE DESCRIBED, AND THAT THE HEREON DRAWN PLAT IS A CORRECT REPRESENTATION THEREOF.

Dated this 14th Day of MAY, 2013.

IPLS No. 3354

NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF ANY AND ALL CONSTRUCTION. FOR BUILDING LINE AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, ABSTRACT, TITLE POLICY CONTRACTS AND LOCAL BUILDING AND ZONING ORDINANCE.

PROFESSIONAL DESIGN FIRM
LAND SURVEYOR CORPORATION
LICENSE NO. 184.004450

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. LICENSE EXPIRES 11/30/14



Village of Lemont

418 Main Street
Lemont, IL 60439-3788

ORDINANCE NO. 0-34-97
DATE OF APPROVAL 6-23-97

ORDINANCE APPROVING A PLAT OF VACATION OF STEPHEN STREET AND A GRANT OF UTILITY EASEMENT

(STONE CREEK OF LEMONT RESUBDIVISION)

WHEREAS, the Village of Lemont has received a Plat of Vacation for 657.51' of unimproved Stephen Street and a Grant of a Utility Easement, attached as Exhibit "A", (Stone Creek of Lemont Resubdivision) in Lemont, Illinois which is legally described in Exhibit "B" attached; and

WHEREAS, the proposed development on the subject property would encroach on the existing Stephen Street right-of-way; and

WHEREAS, this portion of the right-of-way of Stephen Street is not currently being used for public street purposes; and

WHEREAS, the vacation of said street would return the property to the tax rolls; and

WHEREAS, a public utility and drainage easement will be reserved over the vacated street.

NOW THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Lemont that the Plat of Vacation of Stephen Street and the Grant of Utility Easement attached hereto be hereby approved.

PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL AND DuPAGE, ILLINOIS, on this 23rd day of June, 1997.

Barbara Buschman
Keith Latz
Connie Markiewicz
Rick Rimbo
Ralph Schobert
Mary Studebaker

AYES NAYS PASSED ABSENT

✓
✓
✓
✓
✓
Charlene M Smollen
CHARLENE M. SMOLLEN, Village Clerk

Approved by me this 23rd day of June, 1997.
Richard A. Kwasneski
RICHARD A. KWASNESKI, Village President

Attest:
Charlene M Smollen
CHARLENE M. SMOLLEN, Village Clerk

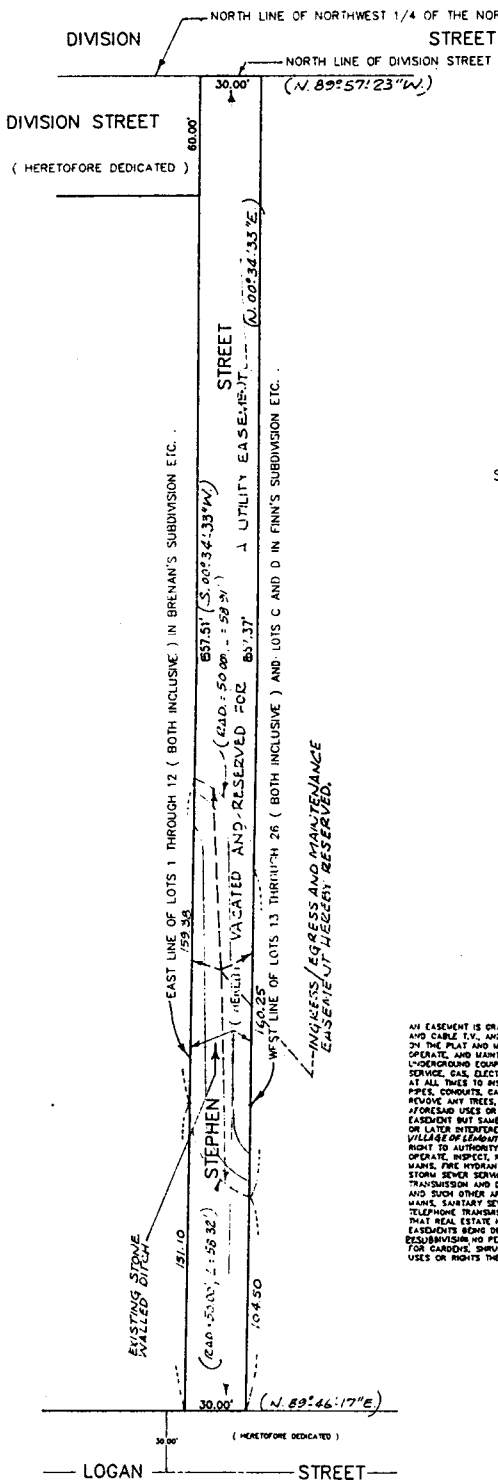
Prepared by the Planning Department
Village of Lemont
418 Main Street
Lemont, Illinois 60439

EXHIBIT "A"

PLAT OF VACATION OF STEPHEN STREET

AND A
GRANT OF A UTILITY EASEMENT
OF

A 30.00 FOOT WIDE PUBLIC STREET KNOWN AS STEPHEN STREET, LYING WEST OF THE WEST LINE OF LOTS 13 THROUGH 26 (BOTH INCLUSIVE) AND LOTS C AND D IN FINN'S SUBDIVISION OF BLOCK 1 OF DOWSE'S ADDITION TO LEMONT, A SUBDIVISION OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 29 TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AUGUST 7, 1874 AS DOCUMENT NUMBER 1842112, AFORESAID FINN'S SUBDIVISION RECORDED JULY 20, 1895 BOOK 67 PAGE 3 AS DOCUMENT NUMBER 2251870 LYING NORTH OF THE NORTH LINE OF LOGAN STREET, LYING SOUTH OF THE NORTH LINE OF DIVISION STREET AND LYING EAST OF THE EAST LINE OF LOTS 1 THROUGH 12 (BOTH INCLUSIVE) AS EXTENDED NORTH TO THE NORTH LINE OF DIVISION STREET IN BRENNAN'S SUBDIVISION OF THE EAST 1/2 OF BLOCK 2 IN AFORESAID DOWSE'S ADDITION TO LEMONT, AFORESAID BRENNAN'S SUBDIVISION RECORDED MARCH 11, 1885 AS DOCUMENT NUMBER 608732 ALL IN COOK COUNTY, ILLINOIS.



SCALE: 1" = 40'

APPROVED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COOK COUNTY, ILLINOIS AT A MEETING HELD ON THE ___ DAY OF ___, A.D. 19__

BY: _____
PRESIDENT

ATTEST: _____
VILLAGE CLERK

APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF LEMONT, COOK COUNTY, ILLINOIS AT A MEETING HELD ON THE ___ DAY OF ___, A.D. 19__

BY: _____
PRESIDENT

ATTEST: _____
VILLAGE CLERK

EASEMENT PROVISIONS

AN EASEMENT IS GRANTED TO AMERICAN COMMONWEALTH EDISON COMPANY, NORTHERN ILLINOIS GAS COMPANY, AND CABLE T.V. AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS WITHIN THE AREA AS SHOWN BY DASHED LINES ON THE PLAT AND MARKED PUBLIC UTILITY AND DRAINAGE EASEMENT TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE, AND MAINTAIN UNDERGROUND UTILITY PIPES AND CONDUITS, GAS MAINS, AND OTHER UNDERGROUND UNDERGROUND EQUIPMENT FOR THE PURPOSE OF SERVING THE ABOVE DESCRIBED SUBDIVISION, WITH TELEPHONE SERVICE, GAS, ELECTRIC, AND CABLE T.V. SERVICE, ALSO THE RIGHT TO ENTER UPON THE AFORESAID SUBDIVISION AT ALL TIMES TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE, AND MAINTAIN WITHIN SAID EASEMENT AREA SAID UNDERGROUND EQUIPMENT AND FINALLY THE RIGHT TO CUT DOWN AND REMOVE ANY TREES, SHRUBS, OR SAPLINGS THAT INTERFERE OR THREATEN TO INTERFERE WITH ANY OF THE AFORESAID USES OR RIGHTS THEREIN GRANTED. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENT BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH SAID USES OR RIGHTS THEREIN GRANTED. AN EASEMENT IS HEREBY GRANTED TO THE VILLAGE OF LEMONT, COOK COUNTY, ILLINOIS, ITS SUCCESSORS AND ASSIGNS, FOR THE FULL AND FREE RIGHT TO AFFIX TO IT, INSTALL, CONSTRUCT, AND OPERATE ESTABLISH, RELOCATE, REMOVE, RENEW, REPLACE, OPERATE, INSPECT, REPAIR, AND MAINTAIN DRAINAGE FACILITIES INCLUDING SWALES, STOKES AND OVERFLOWS, WATER MAINS, FIRE HYDRANTS, VALVES AND WATER SERVICE FACILITIES, SANITARY SEWER PIPES, MANHOLES, WELLS, AND STORM SEWER SERVICE CONNECTIONS, TELEPHONE TRANSMISSION AND DISTRIBUTION WIRES AND CABLES, CABLE T.V. TRANSMISSION AND DISTRIBUTION WIRES AND CABLES, ELECTRIC TRANSMISSION AND DISTRIBUTION WIRES AND CABLES, SANITARY SEWER PIPES, STORM SEWER PIPES, ELECTRIC TRANSMISSION AND DISTRIBUTION WIRES AND CABLES, TELEPHONE TRANSMISSION AND CABLE T.V. TRANSMISSION, IN OR, UPON OVER, THROUGH, ACROSS AND UNDER ALL OF THAT REAL ESTATE HEREON DRAWN, DESCRIBED, AND DESIGNATED AS WITHIN PUBLIC UTILITY EASEMENTS, SAID EASEMENTS BEING DESIGNATED BY THE DASHED LINES AND DESIGNATIONS OF WORDS AS SHOWN ON THE PLAT OF RESUBDIVISION AND PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENT BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH SAID USES OR RIGHTS THEREIN GRANTED.

STATE OF ILLINOIS
COUNTY OF COOK) S.S.

I, ANTHONY J. SMIERCIAK, A REGISTERED ILLINOIS LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY FOR THE PURPOSE OF VACATING AN EXISTING STREET, ALL OF WHICH IS CORRECTLY SHOWN ON THE PLAT HEREON DRAWN. DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. SAID PROPERTY LIES WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF LEMONT, COOK COUNTY, ILLINOIS.

DATED AT THE CITY OF HICKORY HILLS, COOK COUNTY, ILLINOIS THIS 20th DAY OF MAY, A.D. 1937

By: *Anthony J. Smierciak*
ANTHONY J. SMIERCIAK
PROFESSIONAL ILLINOIS LAND SURVEYOR NO. 2911

PLAT PREPARED BY:
HOEFFERLE-BUTLER ENGINEERING, INC.
CONSULTING ENGINEERS
8714 SOUTH ROBERTS ROAD
HICKORY HILLS, ILLINOIS 60457
(708) 599-8980

JOB NO. 94--325UV

EXHIBIT "B"

A 30.00 FOOT WIDE PUBLIC STREET KNOWN AS STEPHEN STREET, LYING WEST OF THE WEST LINE OF LOTS 13 THROUGH 26 (BOTH INCLUSIVE) AND LOTS C AND D IN FINN'S SUBDIVISION OF BLOCK 1 OF DOWSE'S ADDITION TO LEMONT, A SUBDIVISION OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 29 TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AUGUST 7, 1874 AS DOCUMENT NUMBER 184211, AFORESAID FINN'S SUBDIVISION RECORDED JULY 20, 1895 BOOK 67 PAGE 3 AS DOCUMENT NUMBER 2251870 LYING NORTH OF THE NORTH LINE OF LOGAN STREET,,LYING SOUTH OF THE NORTH LINE OF DIVISION STREET AND LYING EAST OF THE EAST LINE OF LOTS 1 THROUGH 12 (BOTH INCLUSIVE) AS EXTENDED NORTH TO THE NORTH LINE OF DIVISION STREET IN BRENNAN'S SUBDIVISION OF THE EAST ½ OF BLOCK 2 IN AFORESAID DOWSE'S ADDITION TO LEMONT, AFORESAID BRENNAN'S SUBDIVISION RECORDED MARCH 11, 1885 AS DOCUMENT NUMBER 608732 ALL IN COOK COUNTY, ILLINOIS.

PIN#:

37-II-29A
22-29

W. 1/2 N.E. 1/4 Sec. 29-37-11
LEMONT

"A"
COUNTY CLERK'S DIV. of Sec. 29-37-11.
Rec. Apr. 30, 1880. Doc. 269491.

"B"
DOWSE'S ADD. TO LEMONT, a sub. of the N.W. 1/4 of the N.E. 1/4 of Sec. 29-37-11. Rec. Aug. 7, 1874. Doc. 1842112. SUB. of the W. 1/2 of Blk. 2 and Lot 8 of Blk. 6 in Douse's Add. (see "B"). Rec. Oct. 16, 1890. Doc. 1354653.

"D"
EULERT'S SUB. Rec. Nov. 3, 1887. Doc. 890751. (ANTE-FIRE) Vacated (Ex Lot 17) Dec. 27, 1936 & 129491 - May 10, 1877. "E" May 4, 1880.

"F"
SUB. of Lots 3 & 11 of Sub. of Blk. 7 in Douse's Add. to Lemont except Lot 17 of Eulert's Sub. (see "D"). Rec. Feb. 23, 1886. Book 21, Page 36. Doc. 693293.

"G"
HOSTETT'S SUB. of Blk. 7 in Douse's Add. (except Lot 17 in Eulert's Sub.) (see "D"). Rec. Aug. 3, 1883. Book 18, Page 40. Doc. 486059.

"H"
BRENNAN'S SUB. of the E. 1/2 of Blk. 2 in Douse's Sub. Rec. Mar. 11, 1885. Doc. 608732.

"I"
KEOUGH & SPALDING RESUB. of Blk. 8 in Douse's Sub. Rec. Nov. 14, 1885. Book 21, Page 4. Rec. Nov. 14, 1885. Doc. 667320.

"J"
SUB. of Lot 8 in Sub. of Lots 3 & 11 (see "E"). Rec. Nov. 14, 1885. "K" Doc. 890751.

"L"
MATTHEW WARNER'S SUB. of Lot 15 in County Clerk's Sub. (see "A"). Rec. Feb. 16, 1885. Doc. 604665.

"M"
JOHN LENTZ' SUB. of Lot 11 and the W. 376 ft. of Lot 10, etc., in County Clerk's Div. (see "A"). Rec. Mar. 11, 1886. Book 21, Page 40. Doc. 697772.

"N"
CHAS. FREEHAUF'S SUB. of the W. 493.4 ft. of Lot 9 in County Clerk's Div. (see "A"). Rec. Aug. 18, 1884. Book 19, Page 39. Doc. 568067.

"O"
SUB. of Lots 13, 14, & 15 in Lentz' Sub. Rec. Apr. 10, 1894. Doc. 2021743.

"P"
SUB. of Lot 9 in County Clerk's Div., except the W. 493.4 ft. (see "A"). Rec. Sep. 13, 1889. Book 38, Page 12. Doc. 1159248.

"Q"
SUB. of Lots 22 to 51 in Sub. of Lot 9 (except the W. 493.4 ft.) in County Clerk's Div. (see "O"). Rec. June 23, 1893. Book 66, Page 33. Doc. 1896994.

"R"
CONSOLIDATION of Lots 1 to 8, 19 to 36, also alleys and streets in and adjacent in Sub. of Lots 22 to 51 in Sub. of Lot 9 (see "O"). Note: Vacation by owner of the following described part of Lot 9 in County Clerk's Div., Lots 1 to 8, both incl., and the alley N. and adjacent to said Lots 1 to 8 and Lots 19 to 36, both incl., and the alley S. of and adjoining said Lots 19 to 36 and the alley E. of and adjoining said Lots 1 to 8, also that part of Freehauf St. lying E. of the W. line of Lots 8 & 29 and that part of Margaret St. lying S. of the S. line of Freehauf St. of Sub. of Lots 22 to 51 in Sub. of Blk. 9.

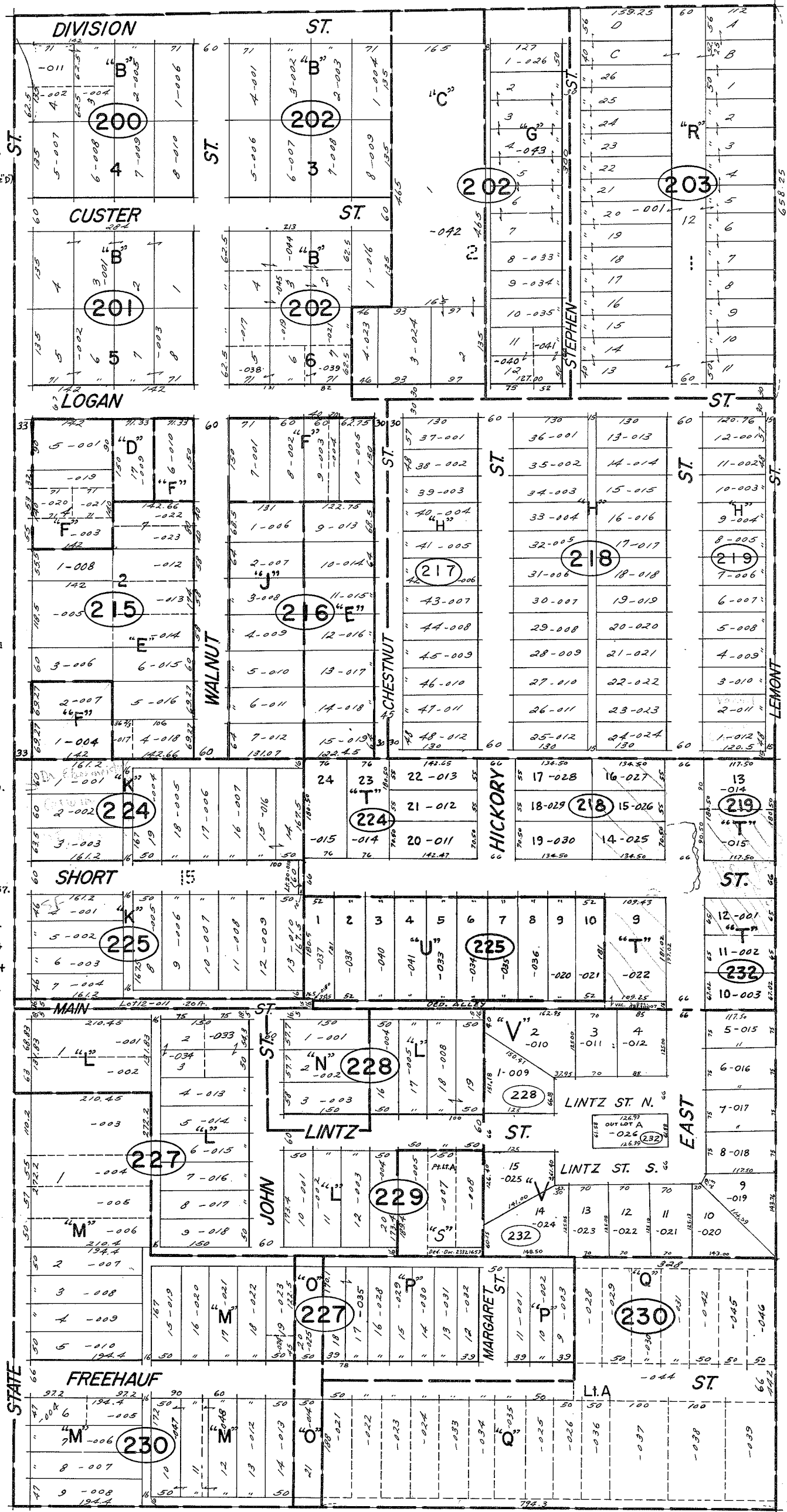
"S"
FINN'S SUB. of Blk. 1 of Douse's Add. (see "B"). Rec. July 20, 1895. B. 67 P. 3 Doc. 2251870.

"T"
J. LINTZ SUB. of that part of the Co. Clerk's Div. lying E. of the pt. already subdivided; Commencing 11 ch. 1/4 bl. N. of the center of Sec. 29, thence N. 22 3/4 ch., thence E. 20 ch., thence S. 670 ch., thence W. 16.32 1/2 ch., thence N. 440 ch., thence W. 3.68 3/4 ch. to the R.O.B. Rec. Apr. 12, 1892. Doc. 1642857.

"U"
LEMONT GARDENS SUB. of Lots 13 & 14 in County Clerk's Division of Sec. 29-37-11. (See "A") Rec. Jan. 9, 1964. Doc. 19018424.

"V"
RESUB. of Lots 1 to 8 inclusive in Lemont Gardens Sub. (See "T") Rec. Oct. 27, 1964. Doc. 19281539.

"W"
BELL OAKS SUB. of the W. 376 ft. of Lot 10 and all of Lot 11 (except the W. 150 ft. S. of Lintz St.) in John Lentz Sub. (See "L") Rec. Sept. 24, 1988. Doc. 88432582.



Copyright 1989
THE SIDWELL COMPANY

Copyright 1976
THE SIDWELL COMPANY

Copyright 1959
JOE H. SIDWELL

Copyright renewed 1987
by THE SIDWELL COMPANY

Offer To Purchase Vacant Land

I, Curt Cepican, agree to purchase the 3 parcels that are adjacent from my house on 327 E. Logan St. Lemont IL 60439.

Pin	sq/ft
22-29-202-033	6,374
22-29-202-034	6,439
22-29-202-035	6,341

After hiring an appraiser it has come to an agreement that the land being purchased is classified as "remnant land" that is inaccessible and unbuildable. The appraiser found no comparable remnant land sales in Lemont. He then explained that remnant land has zero value except to people who own land that is adjacent to the remnant land. So the value is subjective to whatever the purchaser is willing to pay.

Using the appraisal that the Village of Lemont acquired, the 4 comparable sold properties were all vacant, buildable and with utilities. They are not remnant land that is inaccessible and unbuildable.

Out of the 4 comparable properties that were listed in the appraisal, the property at 12697 Archer Avenue, Lemont, IL (buildable, accessible, and with utilities) sold for \$0.39 per square foot.

Based on this sale, the parcels that I would like to purchase add up to 19,154 sq/ft. I would like to agree to purchase in CASH the 3 parcels listed above for \$0.39 a sq/ft

19,154 sq/ft at \$0.39 per sq ft = \$7,470.06

Curt Cepican



Date 9/24/15

327 E. Logan St.

Lemont IL 60439

Village Board

Agenda Memorandum

To: Mayor & Village Board

From: George Schafer, Village Administrator

Subject: **327 E Logan Sale of Village Property Discussion**

Date: October 15, 2015

BACKGROUND/HISTORY

Several months ago, the Village had been approached from the home owner at 327 E Logan Street to purchase Village owned vacant land that is behind (north) of his property. The area is wooded and land locked by the Village's drainage tunnel to the north, and his and his neighbor's property to the south. The homeowner is not looking to build on the property, other than a potential shed, in which he would need the additional space behind his property to accommodate a shed-like structure.

The request has taken several months to bring to the board because of the several unique aspects of this request. The land in question is part of a land mass that was donated to the Village by the Lemont Park District in 2007, to be included with the Village's potential Castle Bowl drainage project. The Village will most likely not be moving forward with this project due to project costs and a reduced need for the improvement over time. Also, before moving forward on the request, staff has confirmed with the Park District that they do not need the property for their public purposes either and have no issue with the Village selling the land.

ADVANTAGES, DISADVANTAGES OF THE ACTION:

The advantages of selling the property is that an existing maintenance obligation is removed from the Village's obligations and the property will be assessed taxes, albeit a small amount due to likely assessed valuation of the property. The Village will also receive proceeds from the sale, of which can be shared with the Lemont Park District. In addition, staff does not see a useful need for the property at this time.

The disadvantage of selling the land is that the Village loses control over the property, and it could be problematic to retrieve it in the future, should the Village need the property for a public purpose.

POTENTIAL ALTERNATIVES

The Village has the following options available with regard to this request.

1. Sell all of the requested land to the requester, which amounts to 3 parcels totaling approximately 19,154 square feet of property. (PIN Number 22-29-202-035, 034, 033 on the attached map. If the Village was amenable to this option, the Village would also need to formally reach out to the owner of the neighbor's property as well. However, it does not appear the other property owner is interested at this time.
2. Sell a portion of the land, either 1, 2 parcels, or subdivide the parcels to line up with the property owner's existing west property line.
3. Deny the entire request for sale of property.

RECOMMENDATION

Because there is not a public need for the property at this time, the Village will be able to remove a maintenance obligation, and the property can become taxed going forward, staff recommends the sale of the at least a portion of the property requested. To prevent against issues in the future regarding this property "flagging" behind other private property, the Board may want to examine the opportunity to subdivide the land before selling.

ACTION REQUIRED

The item is up for discussion purposes only. If the Board is amenable to the request, the Village can finalize pricing and other items relating to the sale.

ATTACHMENTS

1. Map of Area

Cook County CookViewer Output



1:1200

Jason Berry

From: Jeffrey Stein
Sent: Monday, March 13, 2017 12:55 PM
To: Curt Cepican
Cc: Christina Smith; George Schafer
Subject: 327 Logan -- Escrow Check for Property Vacation
Attachments: 327 Logan St, Lot Purcahse.pdf

Mr. Cepican,

Chris Smith will set up an account once you have had a chance to read the following and confirm its accuracy. You (Mr. Cepican) will be coming in with \$7500 to put in escrow for the out of pocket costs of the Village to vacate certain property to you. That property is the property located on the eastern side of the black dotted line in the shaded PINS labeled 612, 615, 620. You are aware that the Village may freely draw from this escrow to pay for the Village's out of pocket costs for those services that the Village determines are necessary (legal, engineering, appraisals, title insurance, etc.) to finalize this transaction. You will replenish the escrow in the unlikely event that is necessary. You understand that all unused funds will be returned to you in the form of a check, without interest. Further, you understand that this escrow is not the only payment that will need to be made to the Village as it is not fair market value of the property which was estimated at \$.67 a square foot.

Finally, you understand that I am not your attorney and do not represent you or your interests in this matter. You have not hired his own attorney at this time.

Mr. Cepican please confirm the information and your understanding of this sale as I have described it above. I will ask that you sign the same prior to you dropping off your check. Please feel free to come in any time today during regular business hours and ask for Chris Smith.

Jeff

Jeffrey M. Stein
Corporation Counsel/Deputy Village Administrator

Village of Lemont | 418 Main Street | Lemont, IL 60439 p 630.257.1590 | f 630.243.0958 jstein@lemont.il.us
| www.lemont.il.us

This message is intended only for the use of the person or entity to whom it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient <mailto:jstein@lemont.il.us> or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by return e-mail.

-----Original Message-----

From: Curt Cepican [mailto:curtcepican@gmail.com]
Sent: Monday, March 13, 2017 12:14 PM
To: Jeffrey Stein <jstein@lemont.il.us>
Subject: Escrow account

Hello Jeff, I will have the \$7500 certified escrow check today. When can I meet with you to open an escrow account?

Thank you, Curt

This email has been scanned for spam and viruses by Proofpoint Essentials. Visit the following link to report this email as spam:

https://us1.proofpointessentials.com/index01.php?mod_id=&mod_option=gitem&mail_id=89425249-he3YLLaRdtml&r_address=tein%40lemont.il.us&report=



Legend

- Village Owned Properties
- Parcels

VILLAGE BOARD

Committee of the Whole Meeting Minutes

January 8, 2018 – 7:00 PM

Lemont Village Hall - 418 Main St. - Lemont, IL 60439

I. Call to Order

Mayor Pro-Tem Rick Sniegowski called the COW Meeting to order at 7:00 p.m. (Mayor Egofske, absent, and arrived at 7:15 p.m.)

II. Roll Call

Present were Trustees, Blatzer, Kwasneski, Maher, McClafferty, Sniegowski and Stapleton. Mayor Egofske, absent. Also present were George Schafer, Kay Argo, Jason Berry, Marc Maton, Linda Molitor and Chris Smith.

III. Discussion Items

A. Strategic Planning Kick-Off / Initial FY 18-19 Budget Discussion

A consultant from the Northern Illinois University Center for Governmental Studies has been working with staff in preparation for the upcoming Strategic Planning sessions. The Strategic Planning process was presented to the Board on how the Village Board and staff will work together to develop the next strategic plan. The question was asked if the old plan should be looked at. The response was that it is okay to look at the previous set of priorities to see where we have been, but to look at things that are a priority today. The environmental scan material that staff had been compiling was reviewed to aid in the planning process.

(Mayor Egofske arrived at 7:15 PM.)

B. 16727 Pasture Drive Shed Variation – This item was postponed to a future COW Meeting.

C. Discussion of the Potential Sale of Village Owned Property located at 327 E. Logan Street

The Village owns property behind a lot at 327 E. Logan St. The homeowner at 327 E. Logan Street previously inquired about purchasing three of the parcels. An appraisal was done, and the homeowner did not want to pay the appraisal amount. Since that time, the homeowner inquired about purchasing the one Village owned lot directly behind his lot. **The discussion with the new Board resulted in not wanting to sell the property at this time.**

IV. Unfinished Business

V. New Business

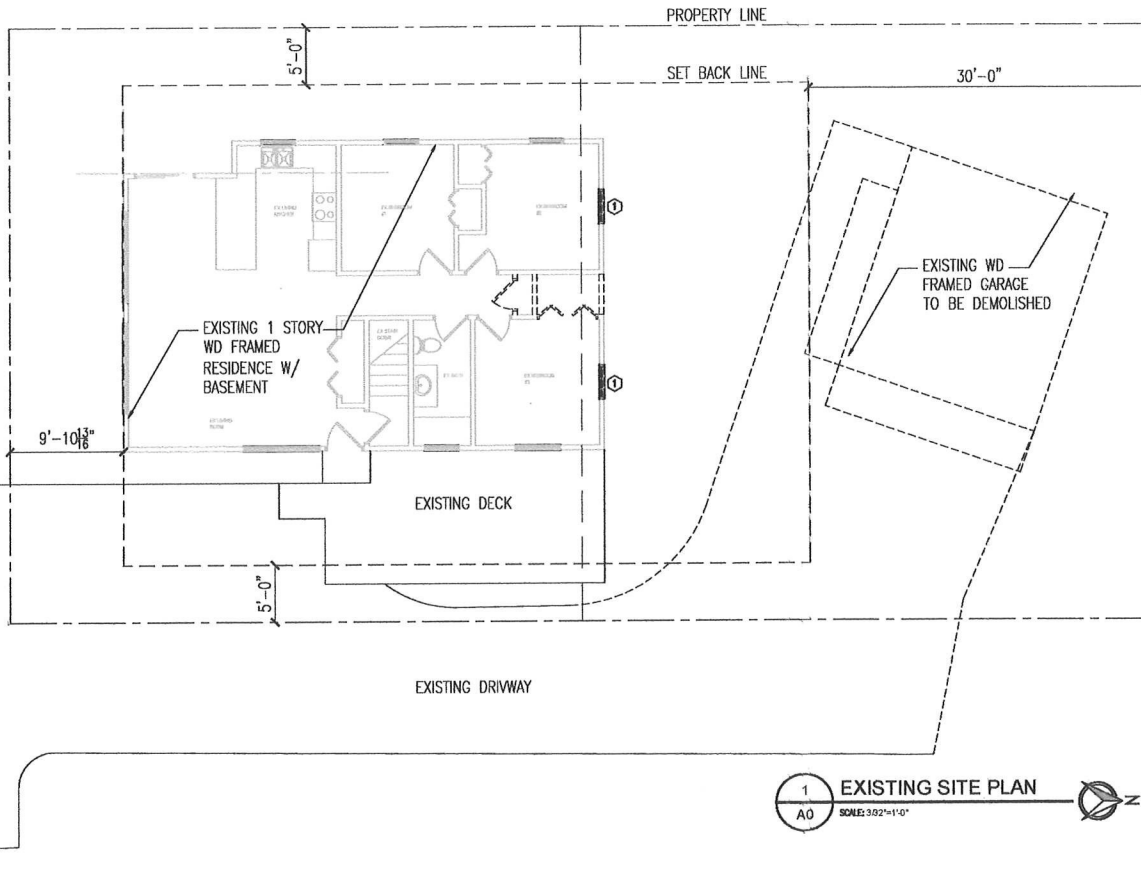
A. Inquiry for Potential Annexation Baileys Crossing and Archer Ave. – There is an inquiry on an unincorporated parcel of property as to whether it could be annexed into the

LOGAN STREET

A

B

C



- General Notes
- ① REMOVE EXISTING WINDOW
 - ② NEW WD FRAMED SUBSTANTIAL
 - ③ NEW BALCONY

Date: _____

PROJECT: **Cepican Residence**
 327 East Logan
 Lemont, IL

existing site plan

A0.1

ZONING: R-4-A
 Min Lot Size: 5,000 sf
 Min Lot Width: 45'-0"

Front Yard Set: Setback shall be 25 ft, unless subject lot is part of a block face where at least 50% of the lots are improved with principal buildings having a front yard depth of less than 25 ft, the minimum setback shall be the average of principal buildings on adjacent lots. The burden of proof for determining the 50% requirement and providing information for the average shall be on the applicant. (Q-10-14)

Side Yard: Minimum side yard depth in the R-4 zoning district shall be based on the width of the lot as follows: If the lot width is 80 feet or greater, the minimum depth of each side yard shall be 15 feet; if the lot width is less than 80 feet but greater than 55 feet, the minimum depth of each side yard shall be 16.5% of the lot width; if the lot width is 55 feet or less, the minimum depth of each side yard shall be 12% of lot width or five feet, whichever is greater. (Exist Lot Width: 52 x 12% = 6.24 > 5) **Side Yard to be 5'-0"**

Rear Yard: 30ft

Max Building Height: 33'-0"
 Existing: 13'-6"
 Proposed: 21'-6"
Max Lot Coverage: 65%
 Existing Total Lot SF= 5200SF (5200X.65= 3,380 Allowed)

Max Floor Area: Each primary structure within the R-4A shall conform to a maximum floor area allowance. The maximum floor area allowance is determined as follows: (lot area square footage x 0.16) + 1,600 = maximum floor area
 (5200sf x 0.16=832)+1600= **2,432 sf**

Existing Main Floor: 1115 SF Proposed Main Floor: 1085 SF
 Existing Basement: 1088 SF Proposed Garage: 1085 SF Total: 3285 sf
 For attached garages, the total width of all garage doors shall not exceed 22 feet or 58% of the dwelling's street-side elevation, which ever is less.

1
 A0 EXISTING SITE PLAN
 SCALE: 3/32"=1'-0"

A

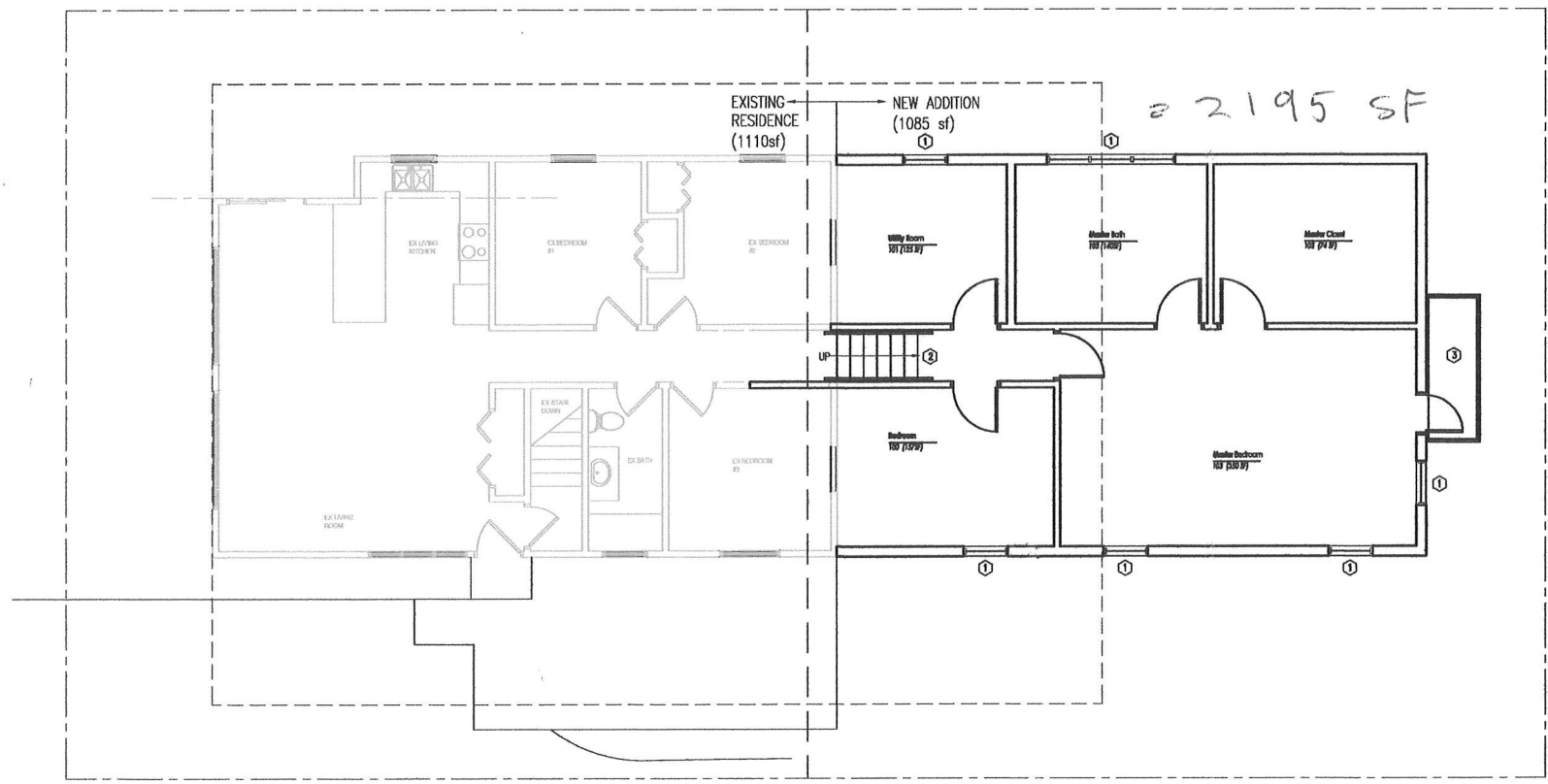
B

C

EXTERIOR WALL CONSTRUCTION TO BE: WD BONG W/ HOUSE WRAP ON 3/4" EXTERIOR OSB SHEATHING & ML POLY OVERLAP @ 6" TAPE ON 2x6 WOOD STUDS @ 16" O.C.
 W/17 BAIT INSULATION ON 3/4" GYP. BOARD
 EXTERIOR NON-LOAD BEARING WALLS TO BE: 2x4 WD BRD CONSTRUCTION ONE LAYER EX SIDE @ GYP BD
 FLOOR CONSTRUCTION TO BE: 3/4" BRN TIE OR 3/4" WOOD FLOOR ON 3/4" SUB FLOOR ON 16" WOOD TRUSSES @ 16" O.C.

- General Notes
- ① NEW WINDOW
 - ② NEW WD FRAMED STAIR/HANDRAIL
 - ③ NEW BALCONY

Date: _____



LOT SF: 5200

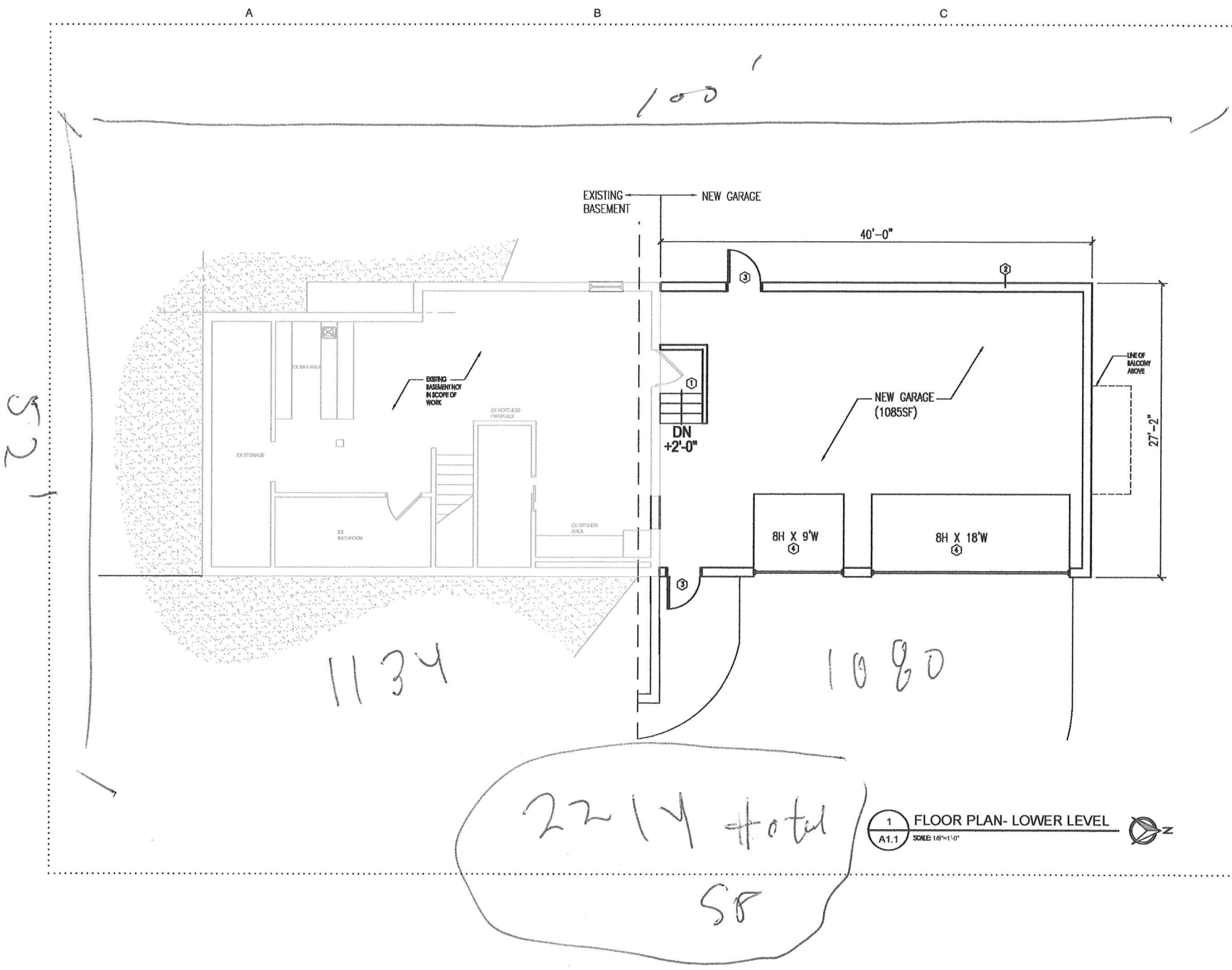
R4A MAX FLOOR AREA = 2432 SF

1 FLOOR PLAN- MAIN FLOOR
 A1 SCALE: 1/8"=1'-0"

PROJECT: **Cepican Residence**
 327 East Logan
 Lemont, IL

floor plans

A1.0



521

100'

1134

1080


2214 Hotel
SF

- General Notes
- ① NEW CONC. STAIR W/ REBAR AS REQ.
 - ② NEW NEW 2X4 W/ 5/8\"/>

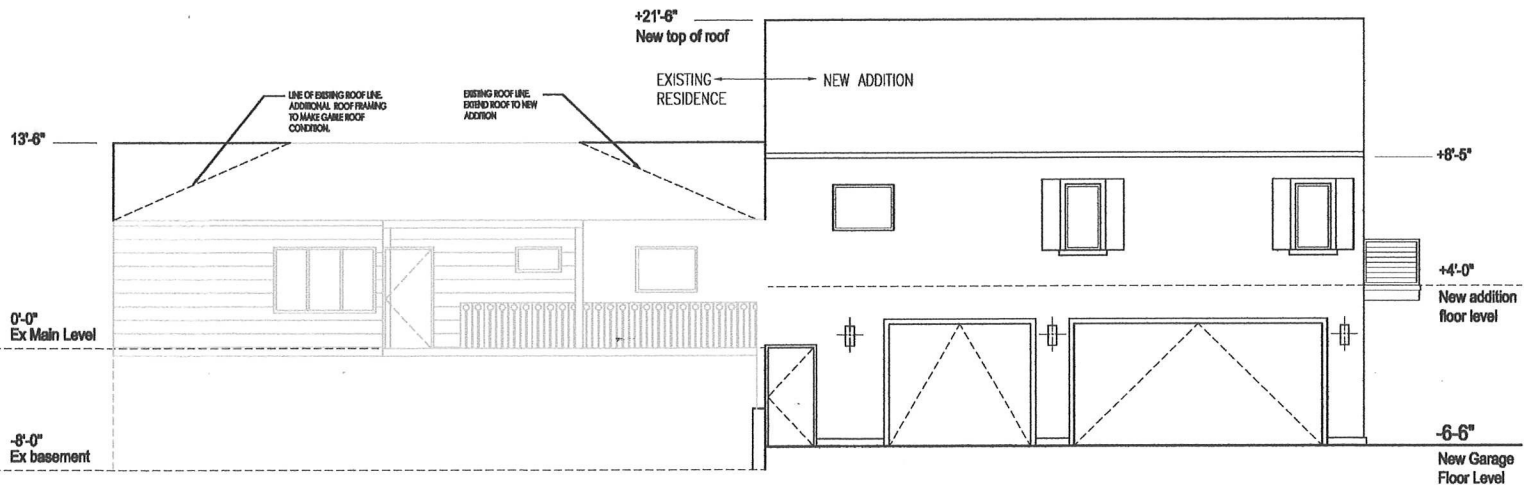
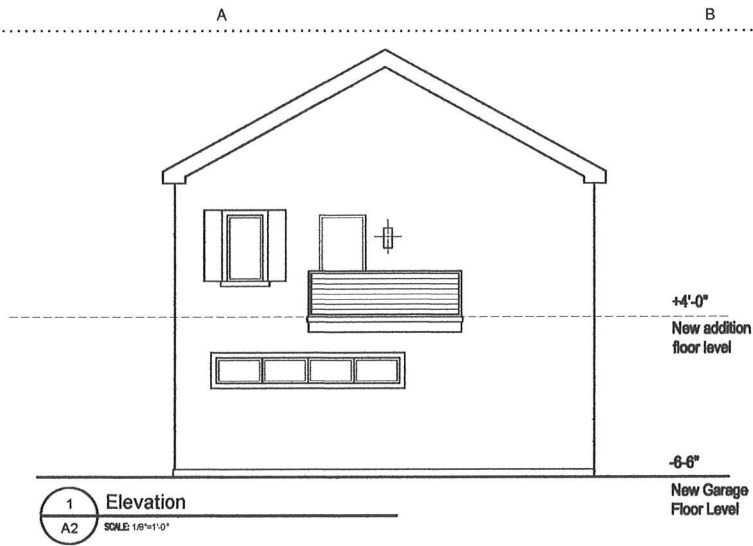
Date: _____

PROJECT: **Cepican Residence**
327 East Logan
Lemont, IL

floor plans
basement/garage

1 FLOOR PLAN- LOWER LEVEL
A1.1 SCALE: 1/8"=1'-0" 

A1.1



2 Elevation
A2 SCALE: 1/8"=1'-0"

Date:

PROJECT: **Cepican Residence**
327 East Logan
Lemont, IL

proposed elevation

A2.0