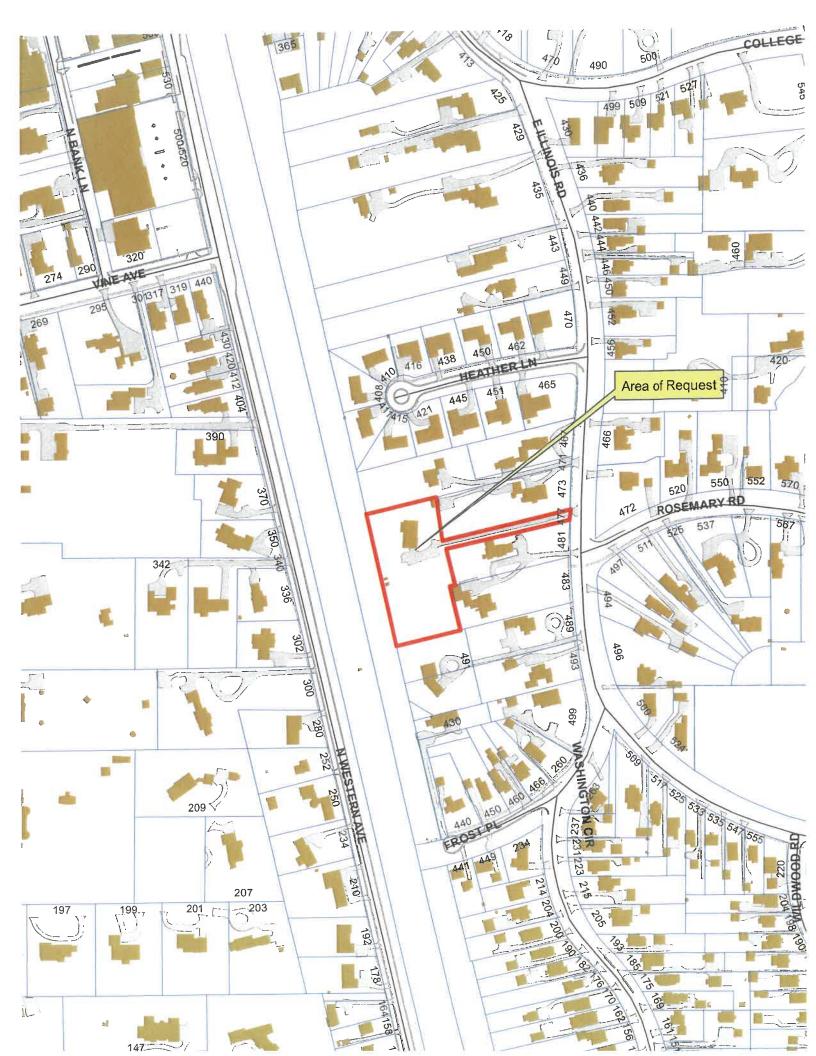
# Plan Commission Meeting – April 14, 2021 Agenda Item 3

# Sloan Resubdivision Reconfiguration – No Additional Lots

Vicinity Map Air Photo Staff Report Calvert Subdivision Rasmussen's Resubdivision (previously approved) Zoning Map

Materials Submitted by the Petitioner Application Statement of Intent Plat of Resubdivision







#### STAFF REPORT AND RECOMMENDATION Sloan Resubdivision – 2 Lots (no additional lots)

TO:	Chairman Kehr and Members of the Plan Commission
DATE:	April 14, 2021
FROM:	Catherine Czerniak, Director of Community Development
SUBJECT:	Request for Approval of a Tentative and Final Plat of Resubdivision –
	477 Illinois Road

<u>OWNER</u>				
Rose A. Sloan				

477 Illinois Road Lake Forest, IL 60045 **PROPERTY LOCATION** 

477 Illinois Road – a Lot in Depth

West side of Illinois Road, Near the Intersection with Rosemary Road

# <u>ZONING</u>

R-1 Single Family Residence District/Local Historic District

## **REPRESENTATIVES**

Sean Sloan, Family Member Michael Adelman, Attorney

## Summary of the Request

This is a request for tentative and final approval of a plat of resubdivision for properties in the R-1 zoning district. The properties are in the City's Local Historic District but are not located within the Historic Residential and Open Space Preservation District. Therefore, no Special Use Permit is required.

The purpose of the resubdivision is to reconfigure two existing lots, incorporate an additional parcel of land, and re-align access and utility easements. No additional lots are proposed and no installation of public infrastructure is required as part of the proposed resubdivision.

Concurrent approval of the tentative and final plat is appropriate in this case because no public infrastructure improvements are necessary and no engineering plans are required. As with development of any vacant lot, complete drainage and grading plans will be required at the time a building permit application is submitted along with plans for a new house.

## **Background Information**

The petitioner's statement of intent provides a detailed background of the property. The background information is summarized below.

The Sloan property is comprised of two lots in depth as it exists today. A lot in depth is defined in the City Code as:

# A lot in which the width of the access area for ingress and egress is less than the minimum lot width required for a lot in the zoning district in which the property is located.

The minimum lot width required for a property in the R-1 zoning district is 75 feet. The Sloan property, at the Illinois Road street frontage, is 20 feet wide, the width of the driveway to the property. There are a limited number of other lots in depth on the west side of Illinois Road likely the result of the depth of some of the lots in this area. The depth of the lots on the west side of Illinois Road reflects the earlier idea that a public road could ultimately be constructed on the east side of the railroad tracks, to the rear of the lots fronting on Illinois Road. Construction of a road at that location never occurred and infill development was constructed on the rear portions of some of the lots over the decades.

The Sloan property was originally part of Lots 241 and 242 of the Lake Forest Plat recorded in 1857. In 1968, after City approval, the Calvert Subdivision was recorded, establishing a single lot in depth, today a portion of the Sloan property, from parts of the original Lots 241 and 242 and establishing the 20 foot access as it exists today. (A copy of the Calvert Subdivision plat is attached to this report as background.) The existing home on the site was constructed in 1968, after the recording of the subdivision plat.

The property was further subdivided in 1978 by the then owner, Mr. Rasmussen. After City approval, the Rasmussen's Resubdivision was recorded creating two lots in depth. (A copy of the Rasmussen's Resubdivision plat is attached to this report as background.) The southern lot of the Rasmussen's Resubdivision, Lot 2, has always been in common ownership with Lot 1 as it is today. Essentially Lot 2, and later the additional parcel to the south, have served as a large yard area for the existing home on the 477 Illinois Road property. Over the years, some improvements to the house, driveway and yard, including a shed, have encroached toward or on to Lot 2. Any improvements existing on the newly configured Lot 2 will need to be removed prior to the sale of Lot 2 into a separate ownership.

The Sloan's purchased the property in 1983, both Lots 1 and 2 of the Rasmussen's Resubdivision, and Sloan family members have resided in the house since that time. In 1986, the Sloans purchased additional property to the south of Lot 2, the rear portion of the property addressed as 483 Illinois Road. This land transfer occurred between the two private property owners, the Sloans and the Hallens who owned the 483 Illinois Road property at that time. The transfer of the parcel was not authorized or approved by the City through an administrative property line shift or other process however, new surveys were recorded with the County and the 483 Illinois Road property today is nonconforming with respect to the setbacks and that is an issue that current and future owners of that property will need to deal with if there is a desire to improve the property.

Given the Sloans current desire to sell Lot 2, addressing or more accurately, correcting what is essentially a remnant parcel located south of Lot 2 of the Rasmussen's Resubdivision is appropriate to assure adherence with the current setbacks in the Code and to establish proper easements to serve Lot 2. The City does not have the opportunity at this point in time for undo the land transfer that occurred in the 1980's only the ability to properly document the parcel and establish appropriate setbacks and easements.

#### Present Request

As noted above, the Sloan's are requesting approval of a plat of resubdivision in preparation for the sale of the property. The proposed subdivision:

- 1. Expands the size of Lot 1 to the south to accommodate the existing improvements and to adhere to the current setbacks. The lot in depth setbacks were not in the Code at the time the Rasmussen's Resubdivision was approved.
- 2. Incorporates the parcel acquired by the Sloans in 1986 into Lot 2 to reflect the common ownership of the property, the prior land sale, and to eliminate the current remnant parcel status of the parcel.
- 3. Establishes the current lot in depth setbacks on both Lots 1 and 2.
- 4. Reconfigures the access and utility easements to reflect the reconfigured lots.

As proposed, Lot 1, exclusive of the easement, totals 31,850 square feet. The access easement on Lot 1 totals 9,500 square feet. Lot 2 totals 25,145 square feet. The minimum lot size for lots in depth in the R-1 zoning district is 16,250 square feet. Both lots as proposed exceed the required minimum lot size.

The current Code also requires a minimum lot width at the front yard setback line of 130 feet before a lot in depth can be created. However, in this case, the two lots in depth already exist by virtue of both the Calvert Subdivision which created the initial lot in depth and the Rasmussen's Resubdivision which created the second lot in depth. A new lot in depth is not being created so this Code provision has not effect in this case.

Although the Rasmussen's Resubdivision established 10 foot setbacks on both lots one and two, the resubdivision as now proposed reflects the current setbacks for lots in depth of 40 feet from all sides recognizing the relationship to neighboring properties.

The plat as presented provides a properly configured easement for both access and utilities to serve Lot 2.

#### **Public Notice**

Public notice of this hearing was provided in accordance with Code requirements and standard practices. Public notice was published in a newspaper of local circulation and mailed to property owners in the surrounding area. The agenda for this meeting was posted at various public locations and on the City's website. To date, staff has received one contact in response to the mailed notice regarding ongoing drainage issues on the east side of Illinois Road in the general vicinity of this petition. The concern was forwarded to the City's Public Works Department for follow up since it involves a matter not directly related to this resubdivision request.

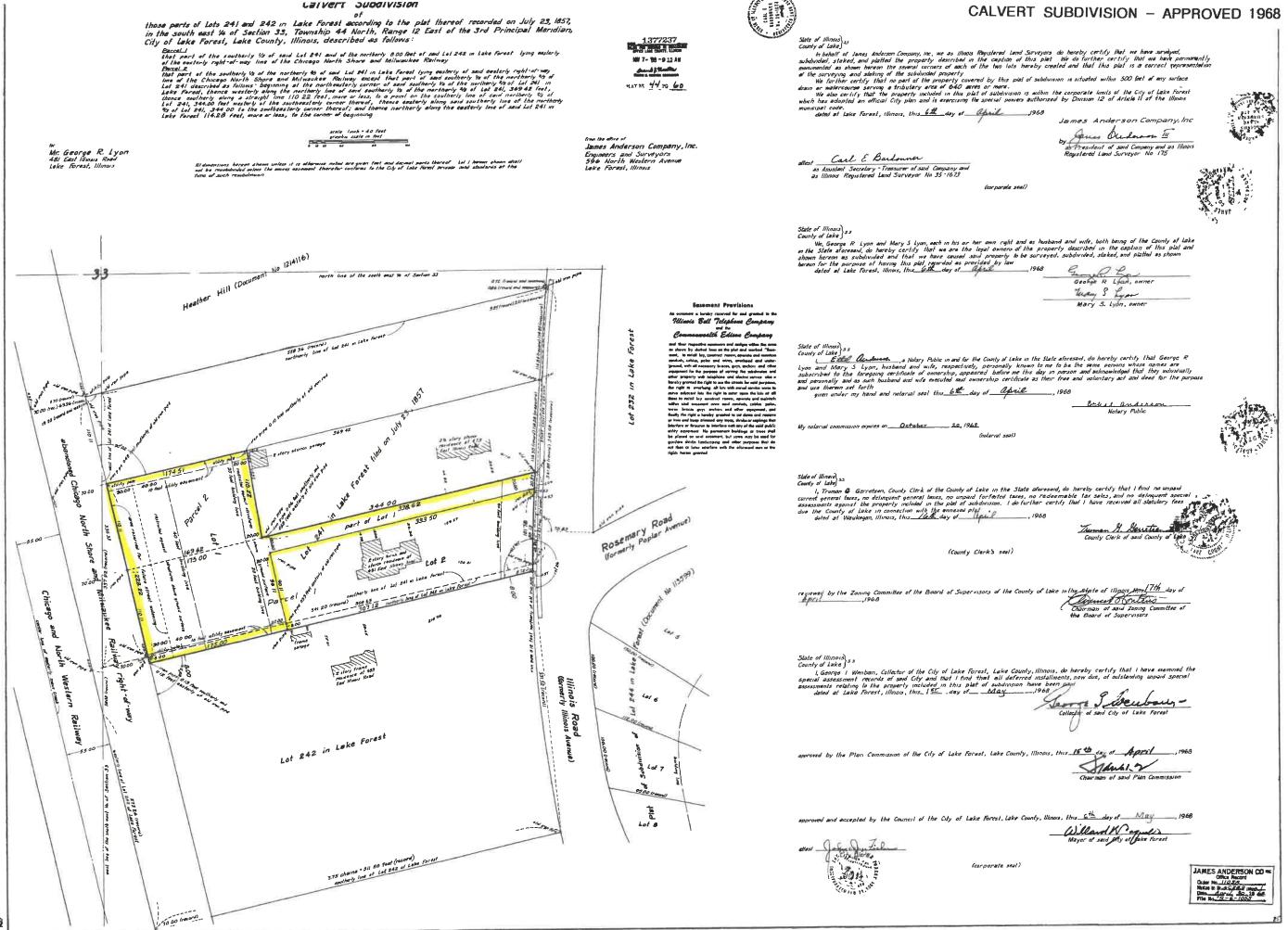
#### Staff Recommendation

Recommend tentative and final approval of the resubdivision to the City Council subject to the following condition.

1. Prior to the recording of the plat of subdivision, all applicable fees shall be paid.

Staff Report and Recommendation April 14, 2021 – Page 4

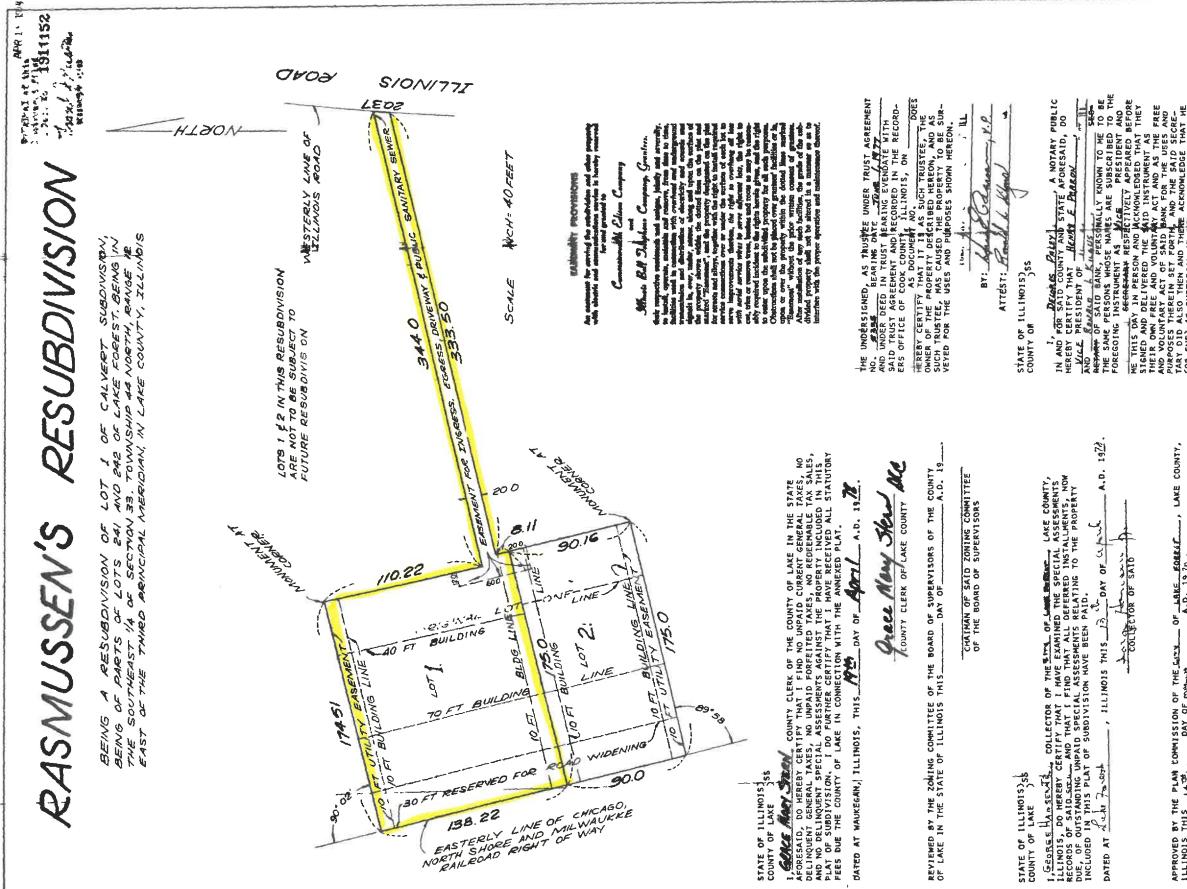
2. Prior to the issuance of a building permit for a new residence on Lot 2, all applicable impact fees shall be paid.



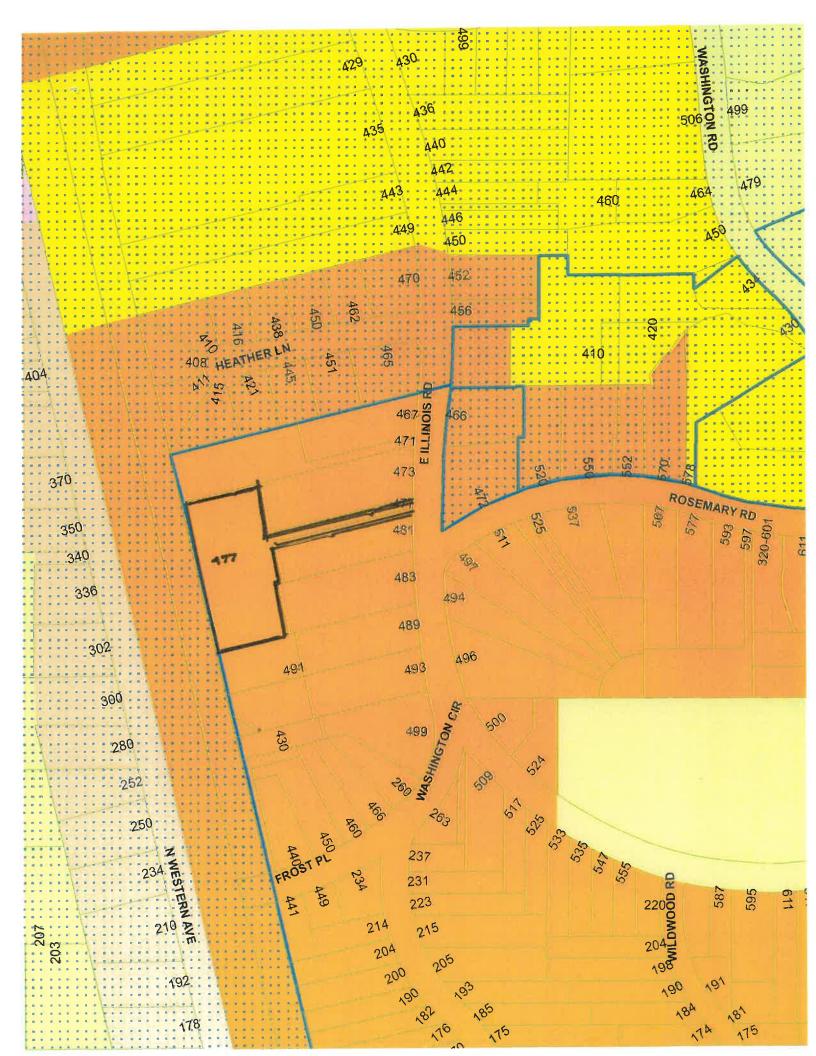
Laivert Subdivision

\$ 4232-830 subd. file # 352

# CALVERT SUBDIVISION - APPROVED 1968



TARY DID ALSO THEN AND THERE ACKNOMLEDGE THAT HE COR SHED AS CUSTODIAN OF THE CORPARE SELL OF SAID BANK, DID AFFIX THE SAID SELL OF SAID BANK TO SAID INSTRUMENT AS HIS OR HER OWN FREE AND VOLUNTARY ACT OF SAID BANK, DIVEN THE OWN FREE AND VOLUNTARY ACT OF SAID BANK DIVEN WY HAND AND MOTARY AL FILL STATE OF THE AT OF MOTARIAL SEAL THISAY OF MOTARY DIBLE OF AND AND A.D. 1977 . NOTARY DUBLIC	BITTE OF ILLIMOIS) ECOUNTY OF COOK 55 ECOUNTY OF COOK 55 ECOUNTY OF COOK 55 TATION OF SCIPTER AND THAT THE PLAT HERE WILLENDIS LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND RESUBJIVIDED THE ABOVE DESC- TATION OF SAID RESUBDIVISION. DIMENSIONS STOOM MEET IN FEET TATION OF SAID RESUBDIVISION. DIMENSIONS STOOM MEET IN FEET AND OF CALL PARTS THEREOF AND ARE CORRECT REPRESEN- TATION OF SAID RESUBDIVISION. DIMENSIONS STOOM MEET IN FEET AND OFCIMAL PARTS THEREOF AND ARE CORRECT REPRESEN- FAURENIET. I FUNTHER CORRECT AT A TEMPERATURE OF 580 SY THIS PLAT OF RESUBDIVISION IS STUDATED WITCHIN SOD FEET OF A SUR- FACE DRAIN OR WATER COURSE SERVING A THE DUTARY ARE OF 640 ACTIV THIN THE COURSE SERVING AN THE PLAT HEREON DRAWN IS SITUATED WITCHIN THE COURSE SERVING THE SPECIAL POWERS AUTHORIZED BY DIV- ISION 12 OF ARTICLE 11 OF THE ILLINDIS MUNICIPAL CODE AS HERETOFORE AND HEREATER AMENDED. DATED THIS DAT OF DAD 197Z DATED THIS DAT OF D. 197Z MOL ILLINDIS LAN SURVEYOR	
APPROVED AND ACCEPTED BY THE COUNCIL OF THE OF LIVE FOLL. APPROVED AND ACCEPTED BY THE COUNCIL OF THE OF LIVE FOLL. LAKE COUNTY, ILLINOIS, THIS DAY OF BEEL OF		ORDER NO 771695





SIGNATURE

# THE CITY OF LAKE FOREST APPLICATION FOR SUBDIVISION OF PROPERTY – TENTATIVE AND FINAL

LOCATION OF PROPERTY 477 Illinois Road	ZONING DISTRICT R-1
ACREAGE OF PROPERTY 1.6115 GI	IS (actual 1.527)
VACANT DEVELOPED X IF DEV	VELOPED # OF STRUCTURES1
# OF BUILDABLE LOTS PROPOSED2	
# OF OUT LOTS PROPOSED0	
APPLICANT Name Sean F. Sloan Address 477 Illinois Road	PROPERTY OWNER (if different from applicant) NameRose A. Sloan (Sean's Mom Address_same
Phone 312-399-2245 (son Sean) E-mail SFSloan@gmail.com (son)	Phone
Relationship to Property Owner's Son (Owner/Attorney/Representative/Contract Purchaser)	E-mail
BENEFICIAL INTERESTS Corporation Partnership Trust, land	b (see exhibit B)
I have read the complete application packet and under I understand that this matter will be scheduled for a put that this application packet is complete and accurate.	rstand the Subdivision process and criteria. Iblic hearing when a determination has been made

Owner	Date
Owner	Date

Applicant

Date

# **APPLICANT'S REPRESENTATIVES**

	Rob A. Ross	WETLAND CONSULTANT
FIRM Jam	es Anderson Company	FIRM
ADDRESS	920 W. North Shore Dr	· ADDRESS
Lake Bl	uff, IL 60044	
PHONE	847-295-3322	PHONE
	NER	TRAFFIC CONSULTANT
		FIRM
FIRM		ADDRESS
		PHONE
PHONE		
ATTORNEY	Michael R. Adelman	LANDSCAPE ARCH
FIRM	Attorney at Law	FIRM
ADDRESS	1190 W Old Mill Road	ADDRESS
	orest, IL 60045	
PHONE	847-615-0210	PHONE
ARBORIST		PRESERVATION CONSULTANT_
FIRM		FIRM
ADDRESS		ADDRESS
PHONE		PHONE

# MICHAEL R. ADELMAN

#### **ATTORNEY AT LAW**

1190 W. OLD MILL ROAD, LAKE FOREST, ILLINOIS 60045-3714 TEL: 847-615-0210 FAX: 847-574-5974 EMAIL: <u>MRAdelman@comcast.net</u>

April 2, 2021

Lake Forest Plan Commission c/o Ms. Catherine Czerniak Director of Community Development City of Lake Forest 800 N. Field Drive Lake Forest, IL 60045

# RE: Two (2) Lot R-1 Single Family Residence Subdivision Application Proposed *Sloan Re-Subdivision ( or Rose A. Sloan Re-Subdivision)* 477 Illinois Road – 1.53 Acres Owners – Rose A. Sloan

Dear Cathy and Plan Commission Members:

This Statement of Intent is submitted in conjunction with and is an integral component of the above-captioned owner's Plan Commission Application for Tentative and Final Plat Approval for a two-lot R-1 residential Subdivision under the City's ordinances, Chapter 156, §156.026. Please include it with the Staff Report for Plan Commission deliberation.

This Subdivision Application is made on behalf of Sean Sloan, the son of the owner of the above captioned property, his mother Rose A. Sloan.

This petition involves the effective consolidation of an existing 2-lot subdivision with a third contiguous vacant parcel of land and re-subdividing the aggregate into a newly configured two-lot subdivision approximately 50% larger. In large measure, this petition is a "house-keeping" matter tidying up a long overdue loose end from the 1980s.

#### The Owners/Applicant

The subject property was purchased by James B. and Rose A. Sloan in 1983 from the Rasmussen family. James Sloan passed in 2017 and Rose A. Sloan is the sole Owner and resides in the residence. The Applicant is Rose's son, Sean Sloan, on behalf of his mother.

#### **History of the Property**

In 1968 the Plat of the Calvert Subdivision of Lots 241 and 242 in Lake Forest was approved and recorded on May 7, 1968. In that year, the existing house Mrs. Sloan resides in was originally constructed. The residence is approximately 3,820 square feet of gross floor area and 3,291 square feet net of the garage.

Lake Forest Plan Commission c/o Ms. Catherine Czerniak, Director of Community Development, City of Lake Forest April 2, 2021 Page 2 of 3

In 1978 the Rasmussen family then owned the property and created the two-lot Rasmussen's Resubdivision of the Calvert Subdivision recorded April 19, 1978. Lot 1 in Rasmussen's Resubdivision contained the residence and 20 foot wide private driveway to Illinois Road. Lot 2 was situated to the south of and contiguous to Lot 1 and was provided access via an easement over the driveway appurtenant to Lot 1.

In 1979 the Rasmussen's hired Strenger Plumbing of Lake Forest to reconfigure utilities under the driveway such that both Lot 1 (with the 1968 residence) and Lot 2 (vacant Lot to the south) were provided separate copper water services and their own sanitary sewers. See Exhibit A.

In 1983 James and Rose Sloan acquired the subject property in its entirety (both Lots 1 and 2) from the Rasmussen's.

In 1986 the Sloans additionally purchased a parcel of land which was the backyard of 483 Illinois Road then owned by Ken and Jean Hallen. That parcel of vacant land approximates 20,246 square feet (R-1 zoning requires a minimum lot size of 16,250 square feet). Herein the "loose end" lies...

§156.007(A) Exceptions of Lake Forest City Code pertaining to subdivisions of land provides for contiguous lot owners to transfer property from one to the other under a "property line shift", or "yard swap", providing that no new additional lots are created and none become non-conforming as a result of such shift or swap. There are no records evidencing that the Sloans and the Hallens got the City to formally participate in and approve this land transfer. Consequently, we submit these properties to the Plan Commission in order to "clean up" and formalize this matter.

#### Site Plan of Proposed Subdivision

The Lake County Assessor's Office lists the subject property as having 1.6115 GIS acres. Our recent surveying of the property indicates it contains approximately 1.5277 acres, which is 66,547 square feet. Let's simply agree on the latter measurement.

It is the Applicant's desire and intent to create a new two-lot subdivision from all three parcels set forth above combined; namely from Lots 1 and 2 in Rasmussen's 1978 Subdivision of Calverts 1968 Subdivision combined with the Hallen's 1986 back yard swap.

The new Lot 1 would remain with the existing 1968 residence situated on 32,958 SF of land, and also included the 8,479 SF of shared driveway. The new Lot 2 would contain approximately 25,110 SF of land area, and, access and all utilities would be provided via an easement over/under Lot 1's driveway.

Under the City's Building Scale Ordinance, Lot 2 would be allowed up to 4,255 square feet of floor area to be constructed in a new residence thereon. This maximum size would be in keeping and compatible with the Lot 1 residence and surrounding homes. The subject property

Lake Forest Plan Commission

c/o Ms. Catherine Czerniak, Director of Community Development, City of Lake Forest April 2, 2021 Page 3 of 3

does not appear to be located within the Historic Residential and Open Space Preservation zoning overlay.

Lot 2 as proposed is essentially 100% mowed lawn with no trees whatsoever within, or in close proximity to, the proposed building envelope. There are no wetland areas on either of the lots.

#### **Conclusion**

This petition is for the purpose of obtaining formal approval of a two-lot subdivision and completing the process started by the Sloans in 1986 when they acquired the backyard of 483 Illinois Road from the Hallens.

We look forward to working with you and commencing the public hearing process.

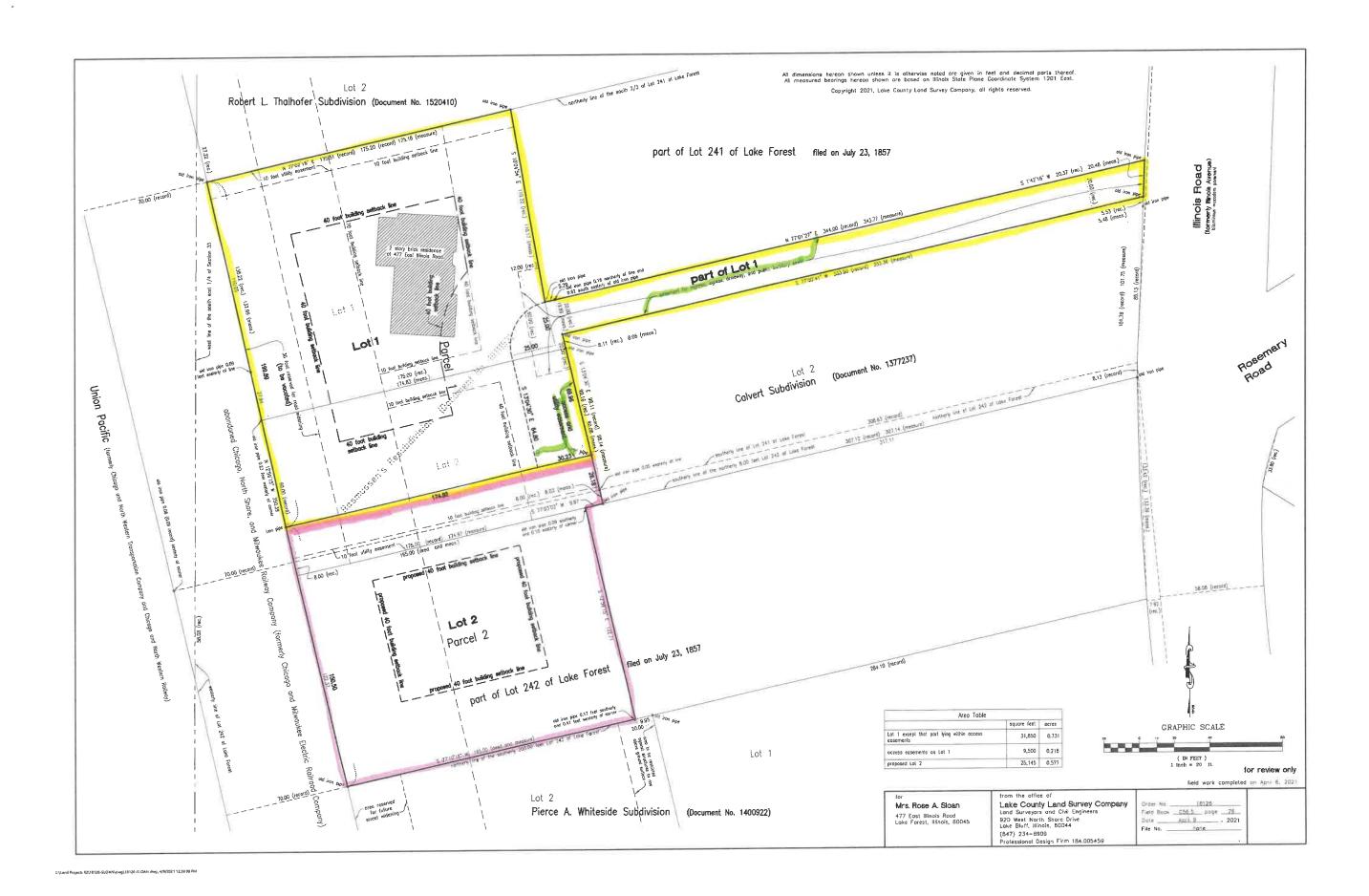
Very truly yours,

Wicharl R. Adelman

Michael R. Adelman

tbm/MRA

Exhibits Attached



.