

**AGENDA
PLANNING AND ZONING COMMISSION**

**Village of East Dundee
April 4, 2019
7:00 PM
East Dundee Police Station 2nd Floor Meeting Room
115 E. 3rd Street
East Dundee, IL 60118**

CALL TO ORDER

ROLL CALL / DECLARATION OF QUORUM

APPROVAL OF MINUTES

1. Planning and Zoning Commission Meeting Minutes dated December 13, 2018

PUBLIC COMMENT

NEW BUSINESS

1. **PUBLIC HEARING (811 E. Main Street)** – to consider a request for a variance from Sections 157.036(A)(6) and 157.032(A)(6)(a) of the Zoning Chapter of the East Dundee Village Code requiring the front yard setback in the R-5 Multiple Dwelling Residential District to be 35 feet.
 - a. Motion to recommend approval/denial of a request for a variance from Sections 157.036(A)(6) and 157.032(A)(6)(a) of the Zoning Chapter of the East Dundee Village Code requiring the front yard setback in the R-5 Multiple Dwelling Residential District to be 35 feet.
 - b. Motion to approve a Findings of Fact to recommend approval/denial of a request for a variance from Sections 157.036(A)(6) and 157.032(A)(6)(a) of the Zoning Chapter of the East Dundee Village Code requiring the front yard setback in the R-5 Multiple Dwelling Residential District to be 35 feet.
2. **PUBLIC HEARING (811 E. Main Street)** – to consider a request for a variance from Sections 157.036(A)(6) and 157.032(A)(6)(c) of the Zoning Chapter of the East Dundee Village Code requiring the rear yard setback in the R-5 Multiple Dwelling Residential District to be 40 feet.
 - a. Motion to recommend approval/denial of a variance from Sections 157.036(A)(6) and 157.032(A)(6)(c) of the Zoning Chapter of the East Dundee Village Code requiring the rear yard setback in the R-5 Multiple Dwelling Residential District to be 40 feet.
 - b. Motion to approve a Findings of Fact to recommend approval/denial of a variance from Sections 157.036(A)(6) and 157.032(A)(6)(c) of the Zoning Chapter of the East Dundee Village Code requiring the rear yard setback in the R-5 Multiple Dwelling Residential District to be 40 feet.

OTHER BUSINESS

ADJOURNMENT

Chairman Brewer called the Planning & Zoning and Historic Commission meeting to order at 7:00 pm.

Roll: 8 Present (Bernstein, Steneck, Apke, Schock, Scarpelli, Meyer, Muscat and Brewer). 1 Absent (Holliman). Also present were Assistant Village Administrator Brad Mitchell, Village Building Inspector Chris Ranieri and Village Clerk Katherine Holt.

APPROVAL OF MINUTES:

1. Planning and Zoning Commission Meeting Minutes dated August 2, 2018

Motion to approve the Planning and Zoning Commission Meeting Minutes dated August 2, 2018 by Bernstein/Steneck. Motion carries by unanimous vote.

PUBLIC COMMENT: None

NEW BUSINESS:

- 1. PUBLIC HEARING (VOED)** – to consider a request for a text amendment to Section 157.050(D)(1)(k)(3) Zoning Chapter of the East Dundee Village Code regulating out door play area requirements for a child care center in a B-3 Service Business District.

Motion to open the Public Hearing by Scarpelli/Schock. Motion carries by unanimous vote.

Assistant Administrator Mitchell explained that Village Code requires that a child care center must have at least 150 square feet of outdoor play area for each child. He advised that the Department of Children and Family Services (DCFS) requires 75 square feet per child. Based on the village code requirement, the applicant would need to request a variance. At this time, the Village recommends striking this requirement from the code as staff does not feel it should regulate beyond what DCFS recommends. Commissioner Scarpelli asked if the business will require DCFS approval and provide that approval to the Village. Mitchell said that is correct.

Motion to close the Public Hearing by Muscat/Scarpelli. Motion carries by unanimous vote.

Motion to approve a text amendment to Section 157.050(D)(1)(k)(3) Zoning Chapter of the East Dundee Village Code regulating out door play area requirements for a child care center in a B-3 Service Business District by Scarpelli/Muscat.

8 Ayes (Bernstein, Steneck, Apke, Schock, Scarpelli, Meyer, Muscat and Brewer). 0 Nays. 1 Absent (Holliman). Motion carries.

- 2. PUBLIC HEARING (460 Dundee Avenue – Ideabox Childcare)** – to consider a request for a special use to allow for a child care center in the B-3 Service Business District.
 - a. Motion to recommend approval/denial of a special use permit for 03-23-479-006 a child care center in the B-3 Service Business District.
 - b. Motion to approve a Findings of Fact to recommend approval/denial of a special use permit for 03-23-479-006 a child care center in the B-3 Service Business District.

Motion to open the Public Hearing by Scarpelli/Apke. Motion carries by unanimous vote.

Ideabox Childcare applicants, Dwight and Vicky Simmons, explained that they will be opening a child care center at a location that previously housed a day care center. They said that they researched East Dundee and after visiting the site, they knew this is where they wanted to be.

Motion to close the Public Hearing by Muscat/Berstein.. Motion carries by unanimous vote.

Motion to approve a special use permit for 03-23-479-006 a child care center in the B-3 Service Business District subject to the conditions as presented in the Findings of Fact by Scarpelli/Berstein.

8 Ayes (Scarpelli, Meyer, Muscat, Apke, Steneck, Bernstein, Schock and Brewer). 0 Nays. 1 Absent (Holliman). Motion carries.

Motion to approve the Findings of Fact to recommend approval of a special use permit for 03-23-479-006 a child care center in the B-3 Service Business District subject to the conditions as presented by Scarpelli/Bernstein. Motion carries by unanimous vote.

HISTORIC COMMISSION:

1. Certificate of Appropriateness for canopy/awning signs: 311 Barrington Avenue

- a. Discussion and Motion to recommend Approval/Denial of a Certificate of Appropriateness for 311 Lofts Proposed Canopy/Awning Sign, Unit A Canopy/Awning Sign, Lucky Girl Canopy/Awning Sign (Unit D), Black and Gray Canopy/Awning Sign (Unit B), and Migrate Canopy/Awning Sign (Unit C).

Tracy Burnidge and Terry Donati presented the Commission with renderings of proposed canopy/awning sign designs and colors for four units at 311 Barrington Avenue. The Commission was in agreement with the Sunbrella Black, True Brown, Terra Cotta and Forest Green colors presented.

Motion to approve the Certificate of Appropriateness for the four canopy/awning signs at 311 Barrington Avenue by Scarpelli/Steneck.

8 Ayes (Scarpelli, Meyer, Muscat, Apke, Steneck, Bernstein, Schock and Brewer). 0 Nays. 1 Absent (Holliman). Motion carries.

Commissioner Scarpelli asked Assistant Administrator Mitchell if a pre-approved pallet guideline of colors could be created for a certain historic time period so that an applicant would not need to request approval of the Historic Commission. He added that maybe this could be done for font types as well. Mitchell said that he will research what other municipalities are doing.

OTHER BUSINESS: None

Motion to adjourn the Planning and Zoning Meeting at 7:37 pm by Schock/Muscat. Motion passed by unanimous vote. Meeting adjourns.

Village of East Dundee Memorandum

To: Planning and Zoning Commission
CC: Jennifer Johnsen, Village Administrator
From: Chris Ranieri, Building Inspector
Brad Mitchell, Assistant Village Administrator
Subject: 811 E. Main Street
Date: April 4, 2019

PROJECT SUMMARY

811 Main St. Apts LLC has submitted an application for variances for the property at 811 E. Main Street. The developer is seeking approval for a Plat of Subdivision to subdivide the parcel into two parcels, with one 18 unit apartment building on each parcel. As you recall, approval for development of these two buildings was granted in August 2018. The Plat of Subdivision has been reviewed for conformance with Village ordinances and good engineering principals and is contingent on the Village approval of two required variances, as outlined below.

VARIANCE REQUESTS

- 1. Variance from Sections 157.036(A)(6) and 157.032(A)(6)(a) of the Zoning Chapter of the East Dundee Village Code requiring the front yard setback in the R-5 Multiple Dwelling Residential District to be 35 feet.***

The two buildings do comply with the front yard setback requirement but the proposed parking lot is not allowed in the front yard, therefore, requiring the front yard to be reduced to 20'.

- 2. Variance from Sections 157.036(A)(6) and 157.032(A)(6)(c) of the Zoning Chapter of the East Dundee Village Code requiring the rear yard setback in the R-5 Multiple Dwelling Residential District to be 40 feet.***

The rear yard is taken from the easterly property line to follow the orientation of the buildings and the buildings have been placed approximately 25' from the easterly property line.

In order to consider the variances, the Planning and Zoning Commission should consider the following standards. The Village's response is on the attached draft Findings of Fact. The attached application includes the petitioner's response to these standards.

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district.
2. The plight of the owner is due to unique circumstances.
3. The variation, if granted, will not alter the essential character of the locality.

4. The particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the regulations were strictly enforced.
5. The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification.
6. The purpose of the variation is not based exclusively upon a desire to make more money out of the property.
7. The alleged difficulty or hardship has not been created by any person presently having an interest in the property.
8. 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 property is located.
9. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood.

The Commission may require such conditions and restrictions upon the premises benefitted by a variation as may be necessary to comply with the standards set forth in the Village Code or reduce or minimize the injurious effect of the variation upon other property in the neighborhood. Below are outlined recommended conditions:

1. Variances apply only if constructed as shown on the attached site plan and with the materials submitted and as described in the Development Agreement Ordinance 18-13.
2. The developer is not in breach of Development Agreement Ordinance 18-13.

Village Staff Recommendation: Approval of the requested variances to allow for the Plat of Subdivision of 811 E. Main Street.

Action Requested: Discussion and motion to approve a Findings of Fact to recommend approval/denial of a request for a variance from Sections 157.036(A)(6) and 157.032(A)(6)(a) of the Zoning Chapter of the East Dundee Village Code requiring the front yard setback in the R-5 Multiple Dwelling Residential District to be 35 feet.

Discussion and motion to approve a Findings of Fact to recommend approval/denial of a request for a variance from Sections 157.036(A)(6) and 157.032(A)(6)(c) of the Zoning Chapter of the East Dundee Village Code requiring the rear yard setback in the R-5 Multiple Dwelling Residential District to be 40 feet.

Attachments:

1. Application for Variances
2. Plat of Subdivision
3. Village Engineer Review
4. Public Notice
5. Findings of Fact

VILLAGE OF EAST DUNDEE



**APPLICATION FOR DEVELOPMENT APPROVAL:
SPECIAL USE, REZONING AND VARIANCE REVIEW AND APPROVAL**

This form is to be used for all special use applications (except Planned Developments) to be heard by the Village of East Dundee. To complete the form properly, please review the accompanying *Village of East Dundee Instruction Manual for Application for Development Review*. **Failure to complete this form properly will delay its consideration.**

PART I. GENERAL INFORMATION**A. Project Information**

1. Project/Owner Name: 811 Main St. Apts. LLC
2. Project Location: 811 E Main St. East Dundee, IL 60118
3. Brief Project Description: 360 2-18 unit apt. buildings being built & the need to subdivide into 2 parcel #'s.
4. Project Property Legal Description: See ATTACHED
5. Project Property Size in Acres and Square Feet: 114,049 sq + 2,6182 ACRES
6. Current Zoning Status: R-5 Multi dwelling District
7. Current Use Status: Apartment
8. Surrounding Land Use Zoning: Commercial on 3 side + Residential on the 4th
9. Parcel Index Numbers of Property: 03-23-479-003 (NORTHERN) + 03-26-227-011 (SOUTHERN)

B. Owner Information

1. Signature: _____
2. Name: 811 MAIN ST APTS LLC
3. Address: 1055 Nimco Dr, Ste E, Crystal Lake, IL 60014
4. Phone Number: 847.417.9884 Fax: _____ Email: CSC Commercial@gmail.com

C. Billing Information (Name and address all bills should be sent to)

1. Name/Company: 811 MAIN ST. APTS LLC
2. Address: 1055 NIMCO DR, Ste E, CRYSTAL LAKE, IL 60014
3. Phone Number: 847.417.9884 Fax: _____ Email: CSC Commercial@gmail.com

PART II. APPLICATION REQUIREMENTS

The following table provides the type and quantity of materials required to be submitted with a special use application. The number associated with each material corresponds with the number used in Part II of the *Village of East Dundee Instruction Manual for Application for Development Approval* where each material is described in greater detail.

Please note that when two quantities of drawings are required (such as: 5/15), the first number indicates the number of full-size drawings to be submitted (at a scale of at least 1" = 20' and no larger than 30" x 42") and the second number indicates the number of reduced (11"x17") copies to be submitted. At least one of the original full-size drawings should be signed and sealed by the preparer. For ease of distribution, please collate into packets all of the materials where multiple copies are required. Packet contents should be assembled in order, except for drawings which should all be collated together at the back of the packet.

The required materials and number of copies shown below are the minimum necessary to submit a complete application. Village staff, consultants, review agencies, commissions, and boards may require additional materials and/or copies as necessary to fully evaluate the proposed project.

Official Use Only

Item # ^(a)	Application Material	Initial Application		Revisions		Second Set of Revisions	
		# Copies Required	# Copies Received	# Copies Required	# Copies Received	# Copies Required	# Copies Received
1.	Completed Development Application AND a) Agreement to Pay Costs Incurred and Hold the Village Harmless b) Affidavit of Ownership & Control c) Affidavit & Disclosure d) Findings of Fact	1					
2.	Project Narrative	20					
3.	Basic Application Fee	X					
4.	Property Owners within 250 feet	X					
7.	Survey / Legal Description	5/15					
9.	Photographs of Existing Property and Area	20					
11.	Site Plan	5/15					
12.	Building Elevations	5/15					
13.	Floor Plans	5/15					
14.	Roof Plan	5/15					
15.	Color Rendering	20					
17.	Landscape Plan	20					
20.	Simple Drainage Plan	1/12					
23.	Utility Impact Report ^(b)	20					
24.	Utility Improvement Plan ^{(b)(c)}	5/15					
25.	Traffic Study ^(b)	12					

^(a) Please see *Village of East Dundee Instruction Manual* for complete description of item.

^(b) Applies only to projects with more than 15,000 sq. ft. of commercial/industrial floor area or more than 25 residential units.

^(c) Applies only to projects proposing to remove or construct public utilities.

PART III. JUSTIFICATION OF THE PROPOSED SPECIAL USE

Please answer all questions but be concise and brief in your answers. If additional pages are needed to complete your answers, please be sure to include the appropriate and complete question number for each response. Applicants are encouraged to refer to drawings or other application materials as necessary to add clarity to their answers. **Applicants are also encouraged to refer to Special Use Criteria Section 157.224(C)(2) or Variances, Section 157.207(C) or Rezoning.**

IF YOU ARE APPLYING FOR A REZONING PLEASE WRITE A PARAGRAPH ON WHAT THE CURRENT ZONING IS AND WHY YOU ARE REQUESTING A REZONING

FOR A SPECIAL USE COMPLETE THE FOLLOWING, FOR VARIANCES ONLY SKIP TO PAGE #4:

1. Will the Special Use be injurious to the enjoyment of other property in the immediate vicinity for the purposes already permitted, nor will the special use substantially diminish and impair property values within the neighborhood?

2. Will the establishment of the Special Use impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district?

3. Have or will adequate utilities, access roads, drainage or necessary facilities be provided for?

4. Have or will adequate measures be taken to provide ingress and egress to minimize traffic congestion in the public streets?

5. How is the proposed special use in harmony with the purposes, goals, objectives, policies and standards of the Village of East Dundee Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice, by the Village?

IF YOU ARE APPLYING FOR A VARIANCE COMPLETE THE FOLLOWING:

1. From which specific standard of the Village Code is a Variance requested (include Code section number)?

① Building Setbacks & ② subdivision of current parcel

2. For this site, what does the Code require?

① $\left\{ \begin{array}{l} \text{Front Yard } 35' \\ \text{Rear Yard } 40' \end{array} \right.$

② one building per parcel

3. What is proposed?

① $\left\{ \begin{array}{l} \text{To reduce the Front yard from } 35' \text{ to } 20' \\ \text{To reduce the rear yard from } 40' \text{ to } 25' \end{array} \right.$

② To divide the parcel into ② parcels to accommodate the 2 buildings

4. What unique circumstances have caused the need for a variance?

The Village of East Dundee has approved in the Development Agreement that two ② buildings are to be constructed on the property & current ordinances allow only one ① building to be constructed on each piece of property

5. What specific mitigation measures will be used to ensure that the essential character of the area will not be altered? (Suitability of Present Area)

Transition from Commercial to Apartments (residential), applying best urban zoning practices.

6. Specifically, how do the particular physical surroundings, shape, or topographical condition of the property result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations are carried out?

This has already been approved by the Village of East Dundee & there will be no impact on the surrounding neighborhoods.

7. Specifically, what conditions are present on the property that would not be applicable generally to other property within the same zoning classification? (Suitability of Zoning)

The Development Agreement signed by the Village of East Dundee and the variance is to accommodate the Village's requirement of only one building per lot.

8. Other than financial return, what other purposes is the variance request based on?

The Development Agreement signed by the Village of East Dundee and the variance is to accommodate the Village's requirement of only one building per lot.

9. Has the alleged difficulty been created by any person presently having an interest in the property?

NO

10. Please give an explanation for any questions answered YES.

- a. Will the granting of the variation be detrimental to the public welfare? (Circle)
- b. Injurious to surround properties? (Circle)
- c. Impair an adequate supply of light and air to adjacent property? (Circle)
- d. Endanger public health and safety? (Circle)
- e. Substantially diminish property values within the neighborhood? (Circle)
- f. Conformance to the Land Use Plan? (Circle)

YES NO
YES NO
YES NO
YES NO
YES NO
YES NO

Upon approval we will be in conformance to the Land Use Plan

VILLAGE OF EAST DUNDEE



PLANNING AND ZONING & HISTORIC COMMISSION MEETING SCHEDULE
MEETING TIME 7:00PM
***THURSDAY EVENING UNLESS DENOTED**

Planning & Zoning petitions must be received 35 days prior to meeting date for petitions requiring Public hearings. 15 days prior when no Public hearing is required.

Historic Commission Meetings (as needed)

Applications submittals must be received & approved by the Building official for presentation to the Commission minimum of 15 days prior to meeting date.

Per ordinance, the Historic Commission must meet within 15 days of application submittal acceptance date and be dully considered by the Commission or a Certificate of Appropriateness would be deemed issued for failure to meet in the designated time.

VILLAGE OF EAST DUNDEE



APPLICATION AGREEMENT
TO PAY COSTS INCURRED AND HOLD THE VILLAGE HARMLESS

The Undersigned applicant acknowledges that the Village of East Dundee may seek advice and counsel from professional sources outside the employee staff of the Village of East Dundee in consideration of the application submitted to the Village of East Dundee by the applicant, including the services as those provided by the Village Staff, Village Attorney, Village Engineer, Planner and Fire Protection District.

The applicant further acknowledges that testimony of all witness at Public Hearings may be recorded before a court reporter and that full transcripts of the proceedings may be prepared and retained by the Village of East Dundee as part of the official record concerning the said applicant and the applicant's costs.

As an express condition in making the said application and the consideration thereof by the Village of East Dundee, the undersigned, both personally and on behalf of the applicant, agrees to hold the Village harmless and agrees to pay forthwith the costs and expenses that may be incurred by the Village of East Dundee for such professional services, including the costs and expenses of recording and transcribing any testimony at Public Hearings in connection with the said application.

The owner hereby authorizes, support and consents to this request for variation, and further authorizes, agrees and consents to allow the temporary installation and display by the Village of East Dundee of Public Notice (signage) upon the subject property.

The applicant, having read this application and fully understanding the purpose thereof, declares that the proceeding statement made are true and that the information provided herein is complete to the best of the applicant's knowledge and belief.

Individually and for the Applicant

Date

Address

Phone Number

Project Description:

VILLAGE OF EAST DUNDEE



Affidavit of Ownership & Control

I (We), _____ do hereby certify or affirm that I am the owner(s), contract purchasers, or beneficiary(s) of the title holding trust for the aforesaid described property and hereby make application of such.

Signature: _____

Owner: _____

Address: _____

_____, _____

Phone: _____

SUBSCRIBED AND SWORN TO before me this
_____ day of _____, _____.

(NOTARY SIGNATURE)

(NOTARY STAMP)

VILLAGE OF EAST DUNDEE



Affidavit & Disclosure Agreement

To cover the Village expenses relating to applications for site plans, Subdivisions, Annexations, Zoning Amendments, Special Uses, Variations and the like:

Applications shall deposit the sum required based on the type and extent of the applicants project. Any bills received by the village and any costs incurred by the Village related to the project will be billed to the applicant. Upon payment of all bills to the Village the applicant will receive their deposit back.

Signature: _____

Print Name: _____

Project Address: _____



OWNER AFFIDAVIT

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 23, AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 26, ALL IN TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOW:

BEGINNING AT THE SOUTHEASTERLY CORNER OF FOX RIVER BLUFFS UNIT NO. 1, BEING ALSO A POINT ON THE CENTER LINE OF STATE ROUTE 72; THENCE NORTHERLY ALONG THE EAST LINE OF SAID FOX RIVER BLUFFS UNIT NO. 1, A DISTANCE OF 372.27 FEET TO AN ANGLE IN SAID EAST LINE; THENCE CONTINUING NORTHERLY ALONG SAID EAST LINE, BEING ALSO THE EAST LINE OF NORTH GATE MANOR UNIT NO. 1, WHICH FORMS AN ANGLE OF 00 DEGREES 45 MINUTES 01 SECONDS TO THE LEFT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 320.31 FEET; THENCE EASTERLY, AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 158.65 FEET; THENCE SOUTHERLY A DISTANCE OF 776.92 FEET TO A POINT ON THE CENTER LINE OF STATE ROUTE NO. 72 THAT IS 175.00 FEET SOUTHEASTERLY OF (MEASURED ALONG SAID CENTER LINE) THE PLACE OF BEGINNING; THENCE NORTHWESTERLY, ALONG THE CENTER LINE OF STATE ROUTE NO. 72, A DISTANCE OF 175.00 FEET TO THE PLACE OF BEGINNING, IN KANE COUNTY, ILLINOIS.

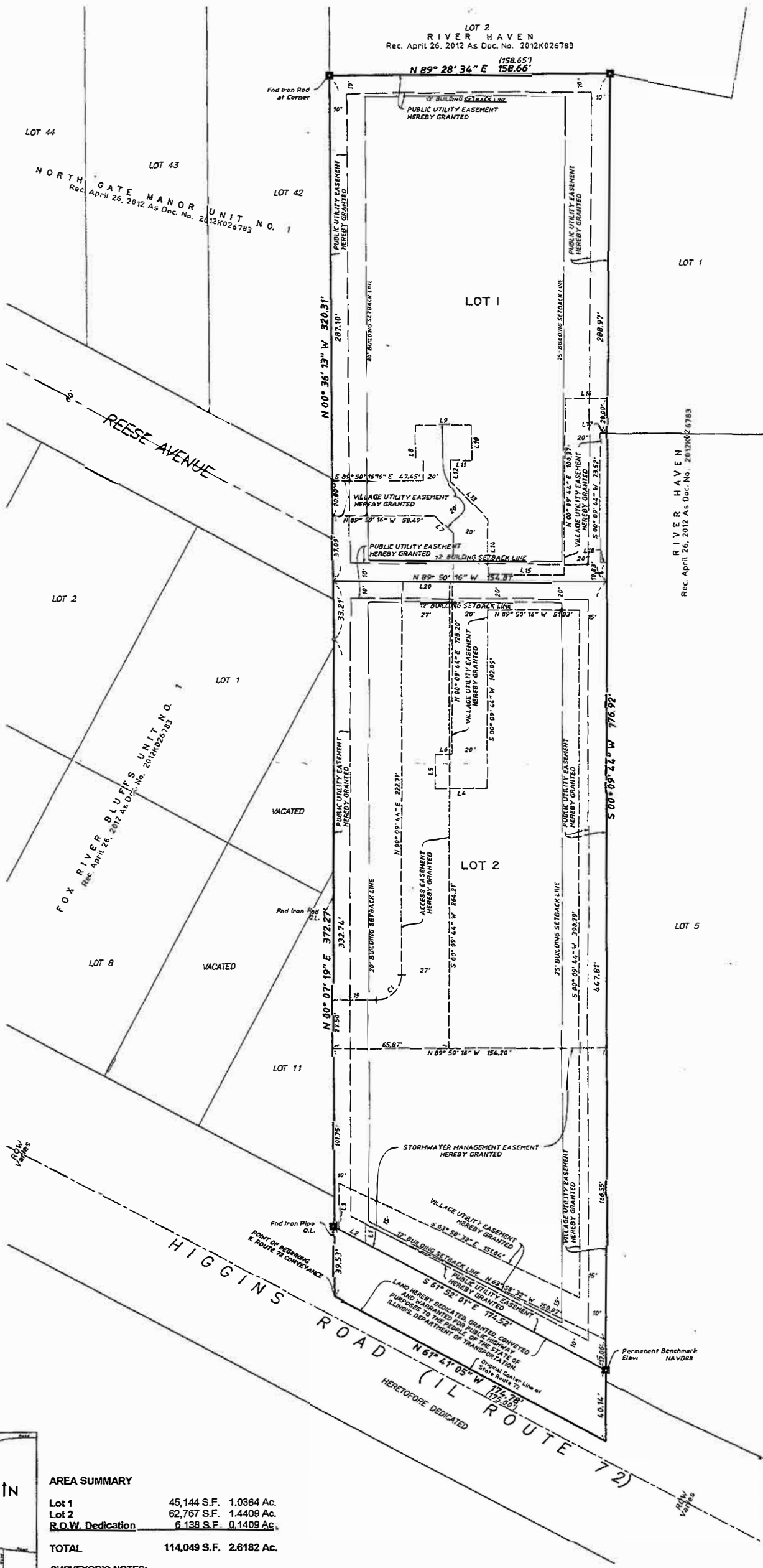
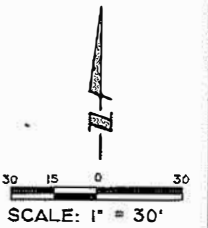
PIN # 03-23-479-003

03-26-227-011

PLAT OF SUBDIVISION OF 811 MAIN STREET APARTMENTS

BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 23, AND
NORTHEAST QUARTER OF SECTION 28, ALL IN TOWNSHIP 42 NORTH, RANGE 8 EAST
OF THE THIRD PRINCIPAL MERIDIAN, KANE COUNTY, ILLINOIS.

SHEET 1 OF 2

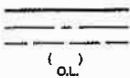


LINE TABLE		
Line	Direction	Length
L1	S 00° 00' 50" W	10.78'
L2	N 61° 52' 01" W	17.91'
L3	N 00° 00' 50" E	26.78'
L4	N 88° 50' 16" W	26.50'
L5	N 00° 00' 44" E	20.00'
L6	S 88° 50' 16" E	9.90'
L7	N 44° 50' 16" W	14.13'
L8	N 00° 00' 44" E	31.82'
L9	S 88° 50' 16" E	31.78'
L10	S 00° 00' 44" W	20.00'
L11	N 88° 50' 16" W	11.72'
L12	S 00° 00' 44" W	12.04'
L13	S 44° 50' 16" E	30.10'
L14	S 00° 00' 44" W	31.07'
L15	S 88° 50' 16" E	43.23'
L16	S 88° 50' 16" E	23.80'
L17	N 88° 50' 16" W	3.80'
L18	S 88° 50' 16" E	3.80'
L19	S 88° 50' 16" E	24.89'
L20	S 88° 50' 16" E	27.00'

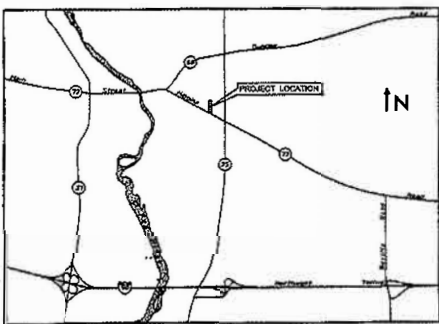
CURVE TABLE				
Curve	Length	Radius	Chord	Chord Bearing
C1	21.88'	14.00'	19.00'	N 45° 08' 44" E

LEGEND

LOT 1



New Subdivision Lot No.
Concrete Monument Set
Property Corner
Subdivision Boundary Line
Road Center Line
Easement Line
Record
On Line



LOCATION MAP
NOT TO SCALE

AREA SUMMARY

Lot 1	45,144 S.F.	1.0364 Ac.
Lot 2	62,767 S.F.	1.4409 Ac.
R.O.W. Dedication	6,138 S.F.	0.1409 Ac.
TOTAL	114,049 S.F.	2.6182 Ac.

SURVEYOR'S NOTES:

1. THE COMPLETION DATE OF THE FIELD WORK FOR THIS SURVEY IS JULY 3, 2018.
2. THE BASIS OF BEARING SHOWN HEREON ARE BASED ON NAD 83(2012) ILLINOIS EAST ZONE 1201 STATE PLANE COORDINATES AS REFERENCED FROM KARA COMPANY'S RTK NETWORK.
3. UNLESS OTHERWISE NOTED, 3/4" DIAMETER IRON PIPES WILL BE SET AT ALL LOT CORNERS IN ACCORDANCE TO THE PLAT ACT (765 ILCS 205/0.01 ET SEQ.).

HAEGER ENGINEERING
consulting engineers land surveyors

100 East State Parkway, Schwenburg, IL 60173
Tel: 847.294.6600 Fax: 847.294.6608
Illinois Professional Design Firm License No. 184-003152
www.haengerengineering.com

PLAT OF SUBDIVISION OF 811 MAIN STREET APARTMENTS

SHEET 2 OF 2

BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 23, AND
NORTHEAST QUARTER OF SECTION 26, ALL IN TOWNSHIP 42 NORTH, RANGE 8 EAST
OF THE THIRD PRINCIPAL MERIDIAN, KANE COUNTY, ILLINOIS.

OWNER'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KANE } SS:

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF LAND DESCRIBED IN THE ANNEXED PLAT, AND HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED, AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

THE UNDERSIGNED HEREBY DEDICATED, GRANTED, CONVEYED, AND WARRANTED FOR PUBLIC USE THE LANDS SHOWN ON THIS PLAT FOR THOROUGHFARES, STREETS, ALLEYS AND PUBLIC SERVICES.

TO THE BEST OF THE OWNER'S KNOWLEDGE, THE SCHOOL DISTRICT IN WHICH TRACT, PARCEL, LOT OR BLOCK OF THE PROPOSED SUBDIVISION LIES IS:

ELEMENTARY SCHOOL MIDDLE SCHOOL HIGH SCHOOL DISTRICT 300
ELGIN COMMUNITY COLLEGE DISTRICT 508

DATED AT _____, ILLINOIS THIS _____ DAY OF _____
A.D. 20____

BY: _____ TITLE: _____

NOTARY CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KANE } SS

BEFORE THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE AFORESAID, PERSONALLY APPEARED _____
AND EACH SEPARATELY AND SEVERALLY ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS HIS/HER VOLUNTARY ACT AND DEED, FOR THE PURPOSES THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, A.D. 20____

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

MORTGAGEE'S CERTIFICATE

STATE OF _____ }
COUNTY OF _____ } SS

_____, AS MORTGAGEE UNDER THE PROVISIONS OF A CERTAIN MORTGAGE DATED _____, A.D. 20____, AND RECORDED IN THE RECORDER'S OFFICE OF _____ COUNTY, ILLINOIS ON THE _____ DAY OF _____, A.D. 20____, AS DOCUMENT NO. _____, HEREBY CONSENTS TO AND APPROVES THE SUBDIVISION OF LAND AND THE GRANTING OF THE EASEMENT(S) DEPICTED HEREON.

BY: _____ ATTEST: _____

ITS: _____ ITS: _____

NOTARY CERTIFICATE

STATE OF _____ }
COUNTY OF _____ } SS

THE UNDERSIGNED, A NOTARY PUBLIC IN THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT _____

OF _____ AND _____

OF _____, WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, AS SUCH _____ AND _____, RESPECTIVELY, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID _____ AS MORTGAGEE, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, A.D. 20____

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

KANE COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KANE } SS

I, _____, COUNTY CLERK OF KANE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE DESCRIBED PROPERTY.

GIVEN UNDER MY HAND AND SEAL AT GENEVA, KANE COUNTY, ILLINOIS.

DATED THIS _____ DAY OF _____, A.D. 20____

COUNTY CLERK

KANE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KANE } SS

THIS INSTRUMENT NO. _____, WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS, ON THE _____ DAY OF _____, A.D. 20____, AT _____ O'CLOCK _____ M. AND WAS RECORDED IN PLAT ENVELOPE NO. _____

KANE COUNTY RECORDER

CERTIFICATE OF SPECIAL ASSESSMENTS

STATE OF ILLINOIS }
COUNTY OF KANE } SS

I, _____, VILLAGE TREASURER OF THE VILLAGE OF EAST DUNDEE, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THE PLAT.

DATED AT _____, KANE COUNTY, ILLINOIS, THIS _____ DAY OF _____, A.D. 20____

VILLAGE TRUSTEE

CERTIFICATE OF APPROVAL

STATE OF ILLINOIS }
COUNTY OF KANE } SS

UNDER THE AUTHORITY PROVIDED BY _____ ADOPTED BY THE VILLAGE BOARD OF THE VILLAGE OF EAST DUNDEE, ILLINOIS, THIS PLAT WAS APPROVED BY THE VILLAGE OF EAST DUNDEE AND MUST BE RECORDED WITHIN SIXTY (60) DAYS OF THE DATE OF APPROVAL BY THE VILLAGE BOARD, OTHERWISE IT IS NULL AND VOID. APPROVED BY THE VILLAGE BOARD OF TRUSTEES AT A MEETING HELD _____, A.D. 20____

PRESIDENT

VILLAGE CLERK

APPROVED BY THE VILLAGE ENGINEER

VILLAGE ENGINEER

VILLAGE UTILITY EASEMENT PROVISIONS

AN EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF EAST DUNDEE, AN ILLINOIS VILLAGE CORPORATION, AND ITS SUCCESSORS AND ASSIGNS ON, OVER, THROUGH, ALONG AND ACROSS THE AREA OF HEREON DESIGNATED AS "VILLAGE UTILITY EASEMENT" FOR THE INSTALLATION, CONSTRUCTION, RECONSTRUCTION, REPLACEMENT, ALTERATION, ENLARGEMENT, OPERATION, INSPECTION, REPAIR, MAINTENANCE, RELOCATION, RENEWAL AND REMOVAL OF IMPROVEMENTS, FACILITIES AND APPURTENANCES, INCLUDING WITHOUT LIMITATION ANY AND ALL CLEANOUTS, VAULTS, VALVES, MANHOLES, HYDRANTS, PIPES, TO SERVE THESE AND OTHER LANDS WITH WATER MAIN AND SANITARY SEWER, IN ACROSS, ALONG, OVER, UNDER AND UPON THE AREAS DESCRIBED HEREIN AND HEREON IDENTIFIED AS "VILLAGE UTILITY EASEMENT" TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS UNDER THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS THEREON; AND TOGETHER WITH THE RIGHT TO ENTER UPON THE PROPERTY WITH SUCH PERSONNEL AND EQUIPMENT AS MAY BE DEEMED NECESSARY FOR ALL SUCH USES AND PURPOSES.

NO OBSTRUCTION OR STRUCTURE SHALL BE ERECTED OR LOCATED, NOR SHALL ANY TREES BE PLANTED, OVER SAID EASEMENT AREAS, NOR SHALL ANY OTHER ACTIVITIES BE UNDERTAKEN THAT UNREASONABLY INTERFERE WITH THE VILLAGES INTENDED USE THEREOF, BUT THE SAME MAY BE USED FOR LANDSCAPING, FENCING, PARKING OR OTHER PURPOSES IF APPROVED IN WRITING BY THE CITY OF ROLLING MEADOWS AND IF SUCH USE DOES NOT THEN OR LATER INTERFERE WITH THE AFOREMENTIONED PURPOSES.

THE RIGHT IS ALSO HEREBY GRANTED TO THE VILLAGE OF EAST DUNDEE TO REMOVE ANY FENCES, BUILDINGS OR STRUCTURES AND TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS, BUSHES, ROOTS OR OTHER PLANTINGS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO SUCH FACILITIES IN, ON, UPON, ACROSS, UNDER OR THROUGH SAID CITY EASEMENT. THE CITY SHALL NOT BE RESPONSIBLE FOR THE REPLACEMENT OR REPAIR OF ANY SUCH FENCES, BUILDINGS, STRUCTURES, TREES, TURF, GARDENS, SHRUBS, LANDSCAPING OR OTHER IMPROVEMENTS REMOVED DURING THE EXERCISE OF THE HEREIN GIVEN RIGHTS. REPLACEMENT AND/OR REPAIR OF SAID ITEMS SHALL BE THE RESPONSIBILITY OF THE THEN PROPERTY OWNER.

ANY OTHER PUBLIC UTILITIES SHALL BE PERMITTED TO CROSS SAID VILLAGE UTILITY EASEMENT AT RIGHT ANGLES THERETO IF APPROVED IN WRITING BY THE VILLAGE OF EAST DUNDEE AND PROVIDED THAT SUCH IS DONE IN A MANNER THAT DOES NOT THEN UNREASONABLY INTERFERE WITH THE VILLAGES INTENDED USE OF THE EASEMENT AREAS; HOWEVER NO ELECTRICAL, TRANSFORMERS, SWITCHING EQUIPMENT, JUNCTION BOXES, OR ANY OTHER SUCH FACILITIES OR EQUIPMENT, SHALL BE ERECTED EITHER ABOVE OR BELOW GROUND ON SAID LANDS DUE TO SUCH CROSSINGS.

THIS EASEMENT SHALL ONLY BE EXCLUSIVE TO PUBLIC AND PRIVATE UTILITIES LINES AND FACILITIES. VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS RIGHTS TO THE DEVELOPMENT, ITS OWNERS AND INVITEES, PUBLIC UTILITIES COMPANIES, AND EMERGENCY VEHICLES SHALL BE ALLOWED AS WELL AS OTHER USES THAT DO NOT INTERFERE WITH THE CITY'S INTENDED USE THEREOF.

PUBLIC UTILITY EASEMENT PROVISIONS

AN EXCLUSIVE EASEMENT FOR SERVING THE SUBDIVISION WITH ELECTRICAL AND COMMUNICATIONS SERVICES, GAS, CABLE TELEVISION, STORM WATER DRAINAGE AND SANITARY SEWERS IS HEREBY RESERVED FOR AND GRANTED TO:

COMMONWEALTH EDISON COMPANY,
AND
AT&T TELEPHONE COMPANY,
AND
COMCAST CABLE COMMUNICATION, INC.,
AND
NORTHERN ILLINOIS GAS COMPANY, AN ILLINOIS CORPORATION,
DOING BUSINESS AS INDOOR GAS COMPANY
AND
THE VILLAGE OF EAST DUNDEE
COLLECTIVELY THE "GRANTEE",

THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, FOR THE PLACEMENT, INSTALLATION, USE, OPERATION, MAINTENANCE, REPAIR, RELOCATION, REPLACEMENT AND REMOVAL OF WATER MAINS, STORM SEWERS, SANITARY SEWERS, DRAINAGE DITCHES AND SWALES, RETENTION PONDS, GAS MAINS, ELECTRICAL LINES, TELEPHONE LINES, FACILITIES USED IN CONNECTION WITH UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND SOUNDS AND SIGNALS, INCLUDING BUT NOT LIMITED TO TELEVISION, DATA AND RADIO SIGNALS, TOGETHER WITH ALL BRACES, GUY, ANCHORS, MANHOLES, VALVES AND ALL OTHER EQUIPMENT AND APPURTENANCES NECESSARY IN CONNECTION UPON AND UNDER THE SUBDIVISION IN, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DASHED LINES ON THE PLAT AND MARKED "PUBLIC UTILITY EASEMENT", AND THE PROPERTY DESIGNATED ON THE PLAT AS A COMMON AREA OR AREAS, AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS OVER OR UNDER THE SURFACE OF EACH LOT AND COMMON AREA OR AREAS TO SERVE IMPROVEMENTS THEREON OR ON ADJACENT LOTS, COMMON AREA OR AREAS, THE RIGHT TO CUT, TRIM, OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HERIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES, OBSTRUCTIONS SHALL NOT BE PLACED OVER THE GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE DASHED LINES MARKED EASEMENT WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEE, EXCEPT GARDEN, SHRUBS AND LANDSCAPING MAY BE PLACED OVER ANY SUB SURFACE FACILITIES THAT DO NOT UNREASONABLY INTERFERE WITH THE SAFETY, USEFULNESS OF UNREASONABLY RESTRICT TO, OR PREVENT THE PROMPT MAINTENANCE OF REPAIR OF ANY SUCH SUB SURFACE FACILITIES, AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

THE TERM COMMON AREA OR AREAS IS DEFINED AS A LOT, PARCEL OR AREA OF REAL PROPERTY, THE BENEFICIAL USE AND ENJOYMENT OF WHICH IS RESERVED IN WHOLE AS AN APPURTENANCE TO THE SEPARATELY OWNED LOTS, PARCELS OR AREAS WITHIN THE PLANNED DEVELOPMENT, EVEN THOUGH SUCH MAY BE OTHERWISE DESIGNATED ON THE PLAT BY TERMS SUCH AS OUT LOTS, COMMON ELEMENTS, OPEN SPACE, OPEN AREA, COMMON GROUND, PARKING AND COMMON AREA. THE TERM COMMON AREA OR AREAS AND COMMON ELEMENTS INCLUDES REAL PROPERTY SURFACED WITH INTERIOR DRIVEWAYS AND WALKWAYS, BUT EXCLUDES REAL PROPERTY PHYSICALLY OCCUPIED BY A BUILDING, SERVICE BUSINESS DISTRICT OR STRUCTURES SUCH AS A POOL OR RETENTION POND, OR MECHANICAL EQUIPMENT.

RELOCATION OF FACILITIES WILL BE DONE BY GRANTEE AT COST OF GRANTEE/LOT OWNER, UPON WRITTEN REQUEST.

ACCESS EASEMENT PROVISIONS

A PERPETUAL NONEXCLUSIVE EASEMENT FOR "ACCESS", BEING ACCESS OF VEHICLES AND PEDESTRIAN TRAFFIC, IS HEREBY RESERVED FOR AND GRANTED TO THE PROPERTY OWNERS OF THE PROPERTY HEREIN DESCRIBED AS THE GRANTEE PROPERTY AND TO THEIR RESPECTIVE SUCCESSORS, ASSIGNS, TENANTS, LICENSEES, INVITEES, AND EMPLOYEES ON, OVER, THROUGH, ALONG AND ACROSS THE AREA OF HEREON DESIGNATED AS "ACCESS EASEMENT", THE GRANTEE'S HEREBY COVENANT AND AGREE THAT NOTHING SHALL BE ERECTED OR MAINTAINED OR ALLOWED TO BE ERECTED OR MAINTAINED UPON SAID EASEMENT FOR ACCESS WHICH WOULD IN ANY WAY HINDER OR PREVENT THE FREE FLOW OF TRAFFIC, FOR THE USE AND BENEFIT OF THE OWNERS, OCCUPANTS AND INVITEES OF LOT 1 SHOWN HEREON.

STORMWATER MANAGEMENT EASEMENT PROVISIONS AND MAINTENANCE AGREEMENT

EACH INDIVIDUAL ENTITY OR OTHER PARTY ACCEPTING TITLE TO ANY LOT OF THE SUBDIVISION HEREBY ESTABLISHED SHALL CONCLUSIVELY BE DEEMED TO HAVE COVENANTED AND AGREED, JOINTLY, EVENLY, AND SEVERALLY, TO: 1) CARE FOR AND MAINTAIN THE SURFACE OF THAT PORTION OF THE SME WHICH IS LOCATED ON SUCH PARTY'S PROPERTY AS A WELL LANDSCAPED, HIGH-QUALITY PARCEL (WHICH MAINTENANCE SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, THE REGULAR SEEDING, WATERING, AND MOWING OF ALL LAWNS), AND 2) KEEP ALL SURFACE OPENINGS OF THE DRAINAGE PIPES UNDERLYING THE SME FREE OF ALL GRASS CLIPPINGS, LEAVES, OR OTHER RELATED OR FOREIGN MATERIALS.

NO INDIVIDUAL ENTITY OR OTHER PARTY ACCEPTING TITLE TO ALL OR ANY PART OF THE SME SHALL: 1) INSTALL, CONSTRUCT, ERECT, PLACE OR PLANT ANY BUILDING, STRUCTURES, IMPROVEMENTS OR VEGETATION (OTHER THAN GRASS OR CITY APPROVED PLANTINGS) UPON THE SME INCLUDING, BUT NOT LIMITED TO, FENCES, WALLS, PATIOS, SHEDS, POSTS, TREES, PLANTS OR SHRUBBERY, EXCEPT AS SHOWN ON THE APPROVED LANDSCAPE PLAN, OR 2) ALTER, MODIFY, OR CHANGE IN ANY WAY THE TOPOGRAPHY OR ELEVATIONS OF THE SME, OR 3) OBSTRUCT, ALTER, OR MODIFY THE ESTABLISHED DRAINAGE PATTERN FROM OR OVER THE SME.

MAINTENANCE OF THE STORM SEWERS AND STORM STRUCTURES WITHIN THE SME SHALL BE THE SHARED RESPONSIBILITY OF EACH LOT OWNER OR OTHER PARTY ACCEPTING TITLE PURSUANT TO THE REQUIREMENTS CONTAINED HEREIN.

THE VILLAGE DOES HEREBY RESERVE THE RIGHT TO PERFORM WORK IN THESE AREAS WITH SUCH EQUIPMENT AND PERSONNEL AS MAY BE DEEMED NECESSARY FOR THE PURPOSES OF PERFORMING THE AFOREMENTIONED MAINTENANCE OBLIGATIONS SHOULD THE GRANTEE FAIL TO PROVIDE OR PERFORM SUCH MAINTENANCE OBLIGATIONS. THE VILLAGE SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO ENTER THE PREMISES AND UPON THE STORMWATER MANAGEMENT EASEMENT AREAS WITH SUCH EQUIPMENT AND PERSONNEL AT ANY TIME FOR THE PURPOSES OF ACCESS TO AND INSPECTION OF THE STORMWATER MANAGEMENT FACILITIES LOCATED WITHIN SAID STORMWATER MANAGEMENT EASEMENT AREAS. IF THE GRANTEE FAILS TO PERFORM ITS MAINTENANCE OBLIGATIONS WITH RESPECT TO SAID STORMWATER MANAGEMENT FACILITIES, AND AFTER THIRTY (30) DAYS OF RECEIPT OF WRITTEN NOTICE FROM THE VILLAGE OF SAID FAILURE THE GRANTEE FAILS TO MAKE THE REQUIRED REPAIRS AND TO SEEK REIMBURSEMENT FROM THE GRANTEE, AND/OR TO FILE A LIEN ON THE PROPERTY FOR THE COSTS INCURRED BY THE VILLAGE IN CONNECTION WITH PERFORMING THE REPAIRS OR MAINTENANCE, IN AN EMERGENCY SITUATION THE VILLAGE IS NOT REQUIRED TO PROVIDE NOTICE TO THE GRANTEE PRIOR TO MAKING THE REQUIRED REPAIRS OR PERFORMING THE NECESSARY MAINTENANCE.

IF THE VILLAGE DETERMINES THAT THE INDIVIDUAL ENTITY OR OTHER PARTY ACCEPTING TITLE IS IN DEFAULT OF SAID MAINTENANCE OBLIGATIONS UPON FIVE (5) DAYS NOTICE TO THE INDIVIDUAL ENTITY OR OTHER PARTY ACCEPTING TITLE SERVED BY CERTIFIED MAIL, THE CITY AND ITS SUCCESSORS AND ASSIGNS SHALL BE GRANTED AN EASEMENT OVER THE AREA DESCRIBED ON THIS DEED RESTRICTED FOR THE RIGHT, PRIVILEGE AND AUTHORITY, WITHOUT OBLIGATION, TO PERFORM SAID MAINTENANCE AND REPAIRS. THE VILLAGE MAY ENTER UPON THE EASEMENT FOR THE PURPOSE OF EMERGENCY REPAIRS.

THE CHARGE OF THE EMERGENCY REPAIRS AND/OR MAINTENANCE IS THE RESPONSIBILITY OF THE INDIVIDUAL ENTITY OR OTHER PARTY ACCEPTING TITLE. THE CITY MAY, AT ITS SOLE ELECTION, RECORD NOTICE OF LIEN WITH THE RECORDER OF DEEDS FOR MCHEENRY COUNTY AS DESCRIBED ABOVE AGAINST THE SUBJECT REAL PROPERTY. SAID LIEN SHALL INCLUDE THE APPLICABLE EXPENSE TO THE INDIVIDUAL ENTITY OR OTHER PARTY ACCEPTING TITLE PLUS ATTORNEY'S FEES AND COURT COSTS. UPON PAYMENT OF SAID LIEN, THE CITY SHALL ISSUE THE APPROPRIATE RELEASE OF LIEN TO THE INDIVIDUAL ENTITY OR OTHER PARTY ACCEPTING TITLE. IT SHALL NOT BE THE OBLIGATION OF THE VILLAGE TO RECORD THE RELEASE OF THE LIEN BUT SHALL BE THE OBLIGATION OF THE PARTY PROCURING THE RELEASE.

ANY STORMWATER MANAGEMENT EASEMENT MAINTENANCE SHALL BE COMPLETED IN ACCORDANCE WITH THE KANE COUNTY STORMWATER MANAGEMENT ORDINANCE.

ILLINOIS DEPARTMENT OF TRANSPORTATION

THIS PLAT HAS BEEN APPROVED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION WITH RESPECT TO ROADWAY ACCESS PURSUANT TO PARAGRAPH 2 OF "AN ACT TO REVISE THE LAW IN RELATION TO PLATS," AS AMENDED, A PLAN THAT MEETS THE REQUIREMENTS CONTAINED IN THE DEPARTMENTS "POLICY ON PERMITS FOR ACCESS DRIVEWAYS TO STATE HIGHWAYS" WILL BE REQUIRED BY THE DEPARTMENT.

BY: _____ DATE: _____
DISTRICT ENGINEER

ILLINOIS ROUTE "72" DEDICATION LEGAL DESCRIPTION

THAT PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 42 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF FOX RIVER BLUFFS UNIT NO. 1 SUBDIVISION RECORDED MARCH 14, 1927 AS DOCUMENT 26668, BEING ALSO A POINT ON THE ORIGINAL CENTER LINE OF ILLINOIS ROUTE "72", THENCE CONTING 00 DEGREES 07 MINUTES 19 SECONDS EAST ALONG THE EAST LINE OF LOT 11 OF FOX RIVER BLUFFS UNIT NO. 1 AFORESAID, 39.53 FEET; THENCE SOUTH 61 DEGREES 52 MINUTES 01 SECONDS EAST, 174.92 FEET TO THE WEST LINE OF LOT 11; THENCE ALONG SAID SUBDIVISION RECORDED APRIL 28, 2012 AS DOCUMENT 2012K22783, THENCE SOUTH 00 DEGREES 09 MINUTES 44 SECONDS WEST ALONG THE SOUTHERLY EXTENSION OF SAID WEST LINE, 40.14 FEET TO THE CENTER LINE OF ILLINOIS ROUTE "72", THENCE NORTH 01 DEGREES 41 MINUTES 05 SECONDS WEST ALONG THE CENTER LINE OF SAID ILLINOIS ROUTE, 174.78 FEET TO THE POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS.

CONTAINING 0.1408 ACRES, MORE OR LESS.

ILLINOIS DEPARTMENT OF TRANSPORTATION ACCEPTANCE

THE PROPOSED DEDICATION FOR PUBLIC HIGHWAY PURPOSES TO THE PEOPLE OF THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION IS HEREBY ACCEPTED.

BY: _____ DATE: _____
JOHN FORTMANN, P.E.
DEPUTY DIRECTOR OF HIGHWAYS, REGION ONE ENGINEER

PROFESSIONAL AUTHORIZATION

STATE OF ILLINOIS }
COUNTY OF COOK } SS

I, JEFFREY W. GLUNT, A PROFESSIONAL LAND SURVEYOR OF THE STATE OF ILLINOIS, LICENSE NUMBER 35-3695, DO HEREBY AUTHORIZE THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS, ITS STAFF OR AUTHORIZED AGENT, TO PLACE THIS DOCUMENT OF RECORD IN THE COUNTY RECORDERS OFFICE IN MY NAME AND IN COMPLIANCE WITH THE ILLINOIS STATUTES CHAPTER 108 PARAGRAPH 2, AS AMENDED.

SCHAUMBURG, ILLINOIS _____

JEFFREY W. GLUNT
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3695
MY LICENSE EXPIRES NOVEMBER 30, 2020 AND IS RENEWABLE

SURVEYORS CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF COOK } SS

I, JEFFREY W. GLUNT, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 23, AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 26, ALL IN TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF FOX RIVER BLUFFS UNIT NO. 1, BEING ALSO A POINT ON THE CENTER LINE OF STATE ROUTE 72 THENCE NORTHERLY ALONG THE EAST LINE OF SAID FOX RIVER BLUFFS UNIT NO. 1, A DISTANCE OF 372.27 FEET TO AN ANGLE IN SAID EAST LINE, THENCE CONTING NORTHERLY ALONG SAID EAST LINE, BEING ALSO THE EAST LINE OF NORTH GATE MANOR UNIT NO. 1, WHICH FORMS AN ANGLE OF 00 DEGREES 45 MINUTES 01 SECONDS TO THE LEFT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 520.31 FEET; THENCE EASTERLY, AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 158.65 FEET; THENCE SOUTHERLY, A DISTANCE OF 776.92 FEET TO A POINT ON THE CENTER LINE OF STATE ROUTE NO. 72 THAT IS 175.00 FEET SOUTHEASTERLY OF (MEASURED ALONG SAID CENTER LINE) THE PLACE OF BEGINNING; THENCE NORTHEASTERLY, ALONG THE CENTER LINE OF STATE ROUTE NO. 72, A DISTANCE OF 175.00 FEET TO THE PLACE OF BEGINNING, IN KANE COUNTY, ILLINOIS.

THE LANDS SHOWN ON THE PLAT AND DESCRIBED IN THE ABOVE CAPTION, AND THAT THE SAID PLAT, DRAWN TO A SCALE OF 30 FEET PER 1 INCH ON SHEET ONE, IS A TRUE AND CORRECT REPRESENTATION OF THE SAID SURVEY AND SUBDIVISION. DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF AND ARE CORRECTED TO A TEMPERATURE OF 68 DEGREES FAHRENHEIT.

I FURTHER CERTIFY THAT UPON COMPLETION OF CONSTRUCTION BUT NOT LONGER THAN ONE YEAR FROM THE RECORDING OF THIS PLAT, CONCRETE MONUMENTS AS SHOWN, AND IRON PIPES AT ALL LOT CORNERS AND POINTS OF CHANGE IN ALIGNMENT WILL BE SET, AS REQUIRED BY THE PLAT ACT (765 ILCS 205/0.01 ET SEQ.). THIS IS TO FURTHER CERTIFY THAT THE LAND INCLUDED IN THE ANNEXED PLAT IS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS, WHICH HAS AN OFFICIAL COMPREHENSIVE PLAN AND IS EXERCISING THE LEGAL POWERS AUTHORIZED BY THE STATE OF ILLINOIS ACCORDING TO 65 ILCS 5/11-12.6 AS HERETOFORE AND HEREAFTER AMENDED.

THIS IS TO CERTIFY THAT THE PARCELS INCLUDED IN THIS RECORD OF DEED ARE NOT LOCATED IN THE SPECIAL FLOOD HAZARD AREA IDENTIFIED FOR THE VILLAGE OF EAST DUNDEE, ILLINOIS, BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY ON THE FLOOD INSURANCE RATE MAP, PANEL NO. 17088C0167H DATED AUGUST 3, 2008.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS OF PRACTICE APPLICABLE TO BOUNDARY SURVEYS.

SCHAUMBURG, ILLINOIS _____ FEBRUARY 20, 2018

BY: _____
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3695



HAEGER ENGINEERING
consulting engineers • land surveyors

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Tel: 847.394.6600 Fax: 847.394.6608
Illinois Professional Design Firm License No. 184-000152
www.haegerengineering.com

EXPIRES 11-30-20



Revised per Village Review Comments
2018-10-30
2018-10-05

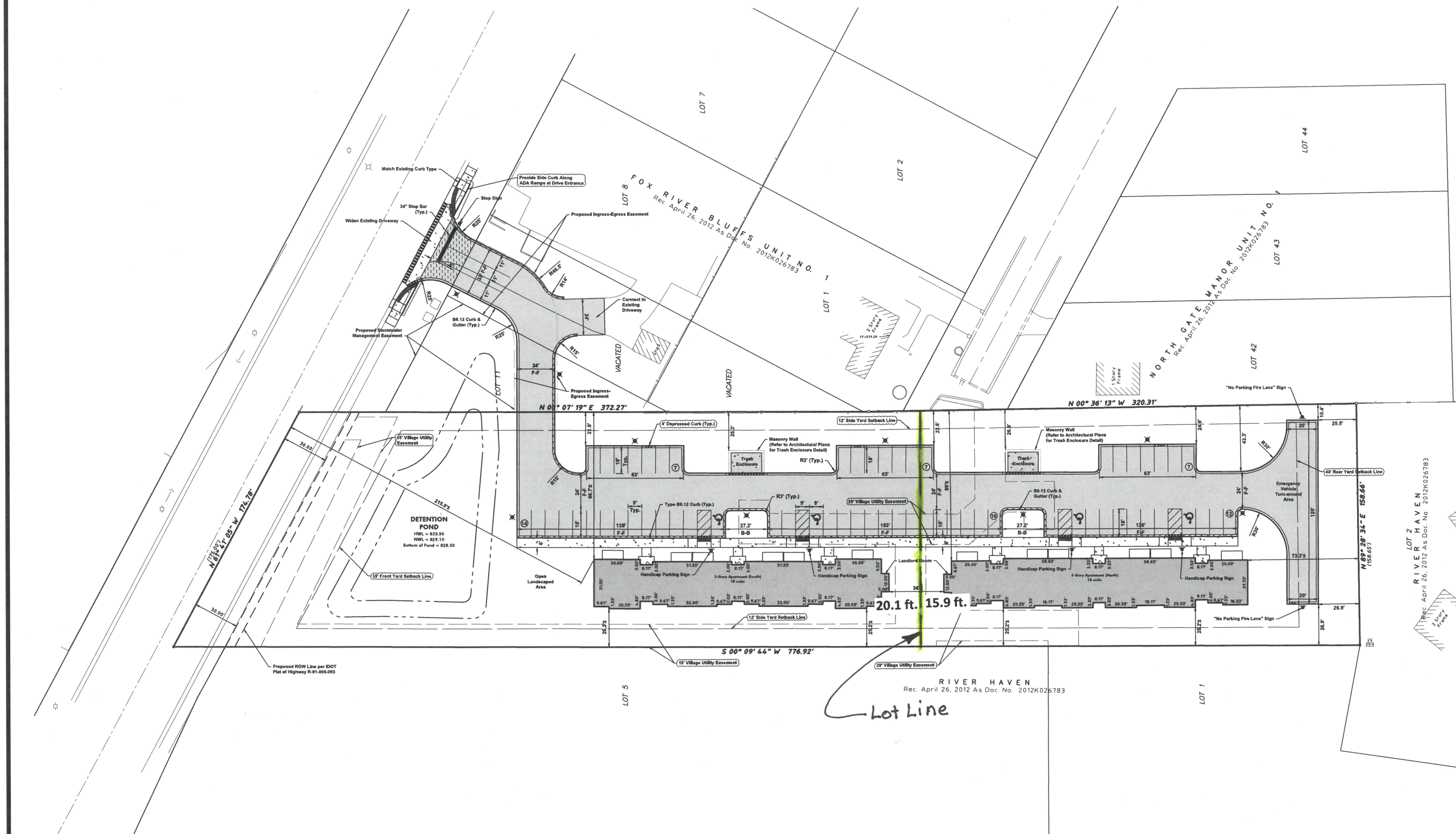
Revision
No.
Date

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www.haegerengineering.com

GEOMETRY / PAVING PLAN
811 MAIN STREET APARTMENTS
BILLITTERI ENTERPRISES
EAST DUNDEE, ILLINOIS

Project Manager: J D T
Engineer: M D M
Date: 2018-08-28
Project No. 18-032
Sheet **C4.0**

Revision 3 Site Plan Note: Curb
Added to West Side of Parking Lot.



PAVING LEGEND

	Bituminous Pavement -1 1/2" Hot Mix Asphalt Surface Course, Mx D, N50 -2 1/4" Hot Mix Asphalt Binder Course, IL-19, N50 -10" Aggregate Base Course, CA-6, Crushed		Concrete Pavement - Apron -8" PCC Pavement, IDOT Class PV with 6" x 6" #6 WWF -4" Aggregate Base Course, CA-6, Crushed -Compacted Subgrade
	Heavy Duty PCC Pavement (Trash Enclosures) -8" PCC Pavement, IDOT Class PV with 6" x 6" #6 WWF -6" Aggregate Base Course, CA-6, Crushed -Compacted Subgrade		Concrete Sidewalk -4" Portland Cement Concrete (Typ.), Class SI -6" Through Driveways -4" Aggregate Base Course, CA-6, Crushed

Site Data

Property Area	* 2.50 ac.	18-unit Apartment Buildings	2
Building Footprint Area	0.29 ac.	1-bedroom Units	18
Pavement Area (parking, drive aisles, walks)	0.72 ac.	2-bedroom Units	18
Stormwater Detention Area	0.33 ac.	Total Number Units	36
Site Open/Landscaping Area	1.16 ac.	Standard Parking Spaces	59
Building Setback, min.	25 ft.	HC Accessible Parking Spaces	4
Building Separation, min.	30 ft.	Total Parking Spaces Provided	63
		Parking Ratio (spaces/apt)	1.75



Gerald L. Heinz & Associates, Inc.

Consulting Engineers and Professional Land Surveyors

MEMORANDUM

DATE: February 27, 2019

TO: Brad Mitchell, Assit. Village Administrator

AT: East Dundee

FROM: Joseph D. Heinz, P.E., P.L.S.

SUBJECT: 811 Main Street Apartments Plat of Subdivision Variance Request
Job No. ED-2104

We have received the following document for review:

- 811 Main Street Apartments Plat of Subdivision, prepared by Haeger Engineering, revised February 20, 2019.

The proposed plat is on the approved site plan which proposes two(2) 3 Story – 18 unit apartment buildings. We have reviewed the revised document for conformance with village ordinances and good engineering principles and find the plat acceptable contingent on the village approval of two(2) required variances.

The owner has requested a building setback variance from the front yard setback requirements. We recommend that the front yard be taken from the westerly property line to follow the orientation of the proposed buildings. The required front yard in the R5 zoning district is 35'. The buildings do comply with the setback requirement but the proposed parking lot is not allowed in the front yard therefore requiring the front yard be reduced to 20'. **A variance to Village Code Sections §157.036(A)(6), §157.032(A)(6)(a) is required.**

The owner has requested a building setback variance from the rear yard setback requirements. We recommend that the rear yard be taken from the easterly property line to follow the orientation of the proposed buildings. The required rear yard in the R5 zoning district is 40'. The buildings have been placed approximately 25' from the easterly property line. **A variance to Village Code Sections §157.036(A)(6), §157.032(A)(6)(c) is required.**

Please let me know if you have any questions on my comments.

cc Jennifer Johnsen, Village Administrator
Chris Ranieri, Building Official

State of Illinois)
County of Kane) SS
Village of East Dundee)

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning and Zoning Commission of the Village of East Dundee will hold a public hearing on April 4, 2019 at 7:00 P.M. at the East Dundee Police Station 2nd Floor Meeting Room, 115 E. 3rd Street, East Dundee, Illinois, to consider the following requests:

1. A request for a variance from Sections 157.036(A)(6) and 157.032(A)(6)(a) of the Zoning Chapter of the East Dundee Village Code requiring the front yard setback in the R-5 Multiple Dwelling Residential District to be 35 feet.
2. A request for a variance from Sections 157.036(A)(6) and 157.032 (A)(6)(c) of the Zoning Chapter of the East Dundee Village Code requiring the rear yard setback in the R-5 Multiple Dwelling Residential District to be 40 feet.

Property Legal Description:

PART OF THE EAST HALF OF THE SE QUARTER OF SECTION 23, AND PART OF THE EAST HALF OF THE NE QUARTER OF SECTION 26, ALL IN TOWNSHIP 42 N, RANGE 8 EAST OF THE 3RD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOW:

BEGINNING AT THE SOUTHEASTERLY CORNER OF FOX RIVER BLUFFS UNIT NO. 1, BEING ALSO A POINT ON THE CENTER LINE OF STATE ROUTE 72; THENCE NORTHERLY ALONG THE EAST LINE OF SAID FOX RIVER BLUFFS UNIT NO.1, A DISTANCE OF 372.27 FEET TO AN ANGLE IN SAID EAST LINE; THENCE CONTINUING NORTHERLY ALONG SAID EAST LINE, BEING ALSO THE EAST LINE OF NORTH GATE MANOR UNIT NO. 1, WHICH FORMS AN ANGLE OF 00 DEGREES 45 MINUTES 01 SECONDS TO THE LEFT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 320.31 FEET; THENCE EASTERLY, AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 158.65 FEET; THENCE SOUTHERLY A DISTANCE OF 776.92 FEET TO A POINT ON THE CENTER LINE OF STATE ROUTE NO. 72 THAT IS 175.00 FEET SOUTHEASTERLY OF (MEASURED ALONG SAID CENTER LINE) THE PLACE OF BEGINNING; THENCE NORTHWESTERLY, ALONG THE CENTER LINE OF STATE ROUTE NO. 72, A DISTANCE OF 175.00 FEET TO THE PLACE OF BEGINNING, IN KANE COUNTY, ILLINOIS.

PINS: 03-23-479-003, 03-26-227-011

All interested persons will be given an opportunity to be heard.

VILLAGE OF EAST DUNDEE, ILLINOIS

Findings of Fact – Variance

Property Location: 811 E. Main Street

Variance(s) requested: A variance from Sections 157.036(A)(6) and 157.032(A)(6)(a) of the Zoning Chapter of the East Dundee Village Code requiring the front yard setback in the R-5 Multiple Dwelling Residential District to be 35 feet.

A variance from Sections 157.036(A)(6) and 157.032(A)(6)(c) of the Zoning Chapter of the East Dundee Village Code requiring the rear yard setback in the R-5 Multiple Dwelling Residential District to be 40 feet.

Hearing date: April 4, 2019

The Planning and Zoning Commission has made the following findings regarding the variation request:

- 1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district; Circle one; Yes/No/Not Applicable(N.A.), Explain:**

Yes, without the variances, the property would not allow for the proposed parking lot.

- 2. The plight of the owner is due to unique circumstances; Yes/No/N.A. and**

Yes, the property's unique circumstances limits the ability to develop the property as proposed.

- 3. The variation, if granted, will not alter the essential character of the locality. Yes/No/N.A.**

Yes, the character of the locality would not be affected and would be enhanced due with the apartment buildings instead of a vacant property.

For the purpose of supplementing the above standards, the Planning and Zoning Commission, in making its decision whenever they are practical difficulties or particular hardship, shall also take into consideration the extent to which the following facts favorable to the applicant, have been established by the evidence that:

- 1. The particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the regulations were strictly enforced; Yes/No/N.A.**

Yes, if the regulations are strictly enforced, the apartment buildings could not be built as proposed with the parking lot and, therefore, the project would not be completed.

- 2. The conditions upon which the petition for variation is based would be applicable generally to other property within the same zoning classification; Yes/No/N.A.**

Yes, should these conditions reoccur on a development with the same zoning classification, the basis for the variation would be applicable.

- 3. The purpose of the variation is not based exclusively upon a desire to make more money out of the property; Yes/No/N.A.**

Yes. Without the variations, the overall use of the property would be affected and not viable for apartments and remain vacant.

- 4. The alleged difficulty or hardship has not been created by any person presently having an interest in the property; Yes/No/N.A.**

Yes.

- 5. 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 property is located; Yes/No/N.A.**

Yes, the granting of the variances would not be detrimental or injurious to the surrounding properties.

- 6. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood. Yes/No/N.A.**

Yes, the proposed variation would not have any of the above negative effects.

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the Planning and Zoning Commission voted on the approval of these findings of fact and the requested variation(s) resulting in the following vote:

____ayes ____nays ____absent____abstain

Date: _____
Planning and Zoning Commission Chairman