

**ORDINANCE NUMBER 14 - 13**

**ORDINANCE APPROVING THE PLAT OF SUBDIVISION FOR PINs 03-23-321-011 AND 03-23-329-053 LOCATED ON HILL STREET EAST OF VAN BUREN STREET, EAST DUNDEE, ILLINOIS**

**WHEREAS**, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

**WHEREAS**, Claire Krieger, owner of property identified by PIN's 03-23-321-011 and 03-23-329-053, has submitted an application for approval of a final plat of subdivision for said property on Hill Street east of Van Buren; and

**WHEREAS**, the property is legally described as follows:

Lot 2 and the West 15.0 feet of that part of the Southwest Quarter of Section 23, Township 42 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at the Northeast Corner of Block 1 of the Plat of East Dundee; thence North 78 degrees East, a distance of 165.0 feet; thence South 12 degrees 6 minutes East, a distance of 120.0 feet; thence South 78 degrees West, a distance of 165.0 feet; thence North 12 degrees 6 minutes West, a distance of 120.0 feet, to the Point of Beginning, in the Village of East Dundee, Kane County, Illinois

**WHEREAS**, the Planning and Zoning Commission (hereinafter the "Commission") of the Village of East Dundee, pursuant to notice and pursuant to the Village of East Dundee Code of Ordinances, Chapter 157.224 held a public hearing on November 11, 2013 , on Petition No. P/Z 13-11-01; and

**WHEREAS**, pursuant to said hearing, the Commission recommended the Petition by a vote of 6 ayes, 0 nays, and 3 absent.

**NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:**

**Section One.** That the Village of East Dundee hereby accepts and hereby approves the plat of subdivision creating two separate lots each sixty (60) feet by one hundred and twenty (120) feet as depicted on the plat of subdivision as attached in Exhibit A.

**Section Two.** The plat of subdivision shall be recorded in the Kane County Recorder of Deeds office.

**Section Three. Severability.** If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the validity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

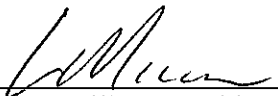
**Section Four. Publication.** This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 7<sup>th</sup> day of July, 2014, pursuant to a roll call vote as follows:

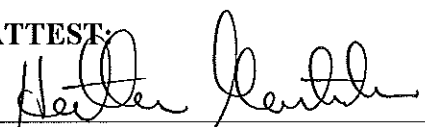
AYES: Trustees Gorman, Lynam, Skillicorn, Selep and Wood  
NAYES: Ø

ABSENT: Trustee Ruffalo

Approved by me this 7<sup>th</sup> day of July, 2014.

  
LAEL MILLER, Village President

Published in pamphlet form this 8<sup>th</sup> day of July, 2014, under the authority of the President and Board of Trustees.

ATTEST:  
  
Heather Maieritsch, Deputy Village Clerk

Recorded in the Village Records on July 8<sup>th</sup>, 2014.



## Gerald L. Heinz & Associates, Inc.

*Consulting Engineers and Professional Land Surveyors*

### MEMORANDUM

DATE: July 3, 2014

TO: Robert Skurla, Village Administrator

AT: East Dundee

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

SUBJECT: Krieger Subdivision Plan Review

Job No. ED-1990

We have received the following documents for final plan review:

- Preliminary Plan, prepared by: Alan J. Coulson, P.C., dated: September 11, 2013.
- Land Use Opinion Letter, prepared by: Kane-Dupage Soil and Water Conservation District, dated: June 30, 2014

We have reviewed the preliminary plan for compliance with the subdivision requirements per village ordinance and good engineering principles. The plan proposes that a parcel located on Hill Street be split into two (2) buildable lots. The proposed lots meet or exceed the minimum requirements for area and width of lots within the R3 zoning district. Existing topography has not been verified by our firm. The following are our comments:

1. The Land Use Opinion report prepared by the Kane-DuPage Soil and Water Conservation District mentions that the site may need to address "Soil Limitations, Aquifer Sensitivity, Soil Erosion and Sediment Control, and Stormwater Management."
2. Stormwater detention is not required since the development is under an acre in size.
3. The village subdivision ordinance requires improvements such as streets, sewer and water. Since the development is in an improved area, most of the improvements are not necessary but the servicing of the lot along with public sidewalks are required. The owner would need to post a bond or letter of credit for the required improvements. If the village board and attorney agree, as an alternative, a deed restriction could be recorded to require that the sewer service, water service, and public sidewalk will need to be installed by the owner.
4. The lots have a considerable amount of side slope from east to west and grading the lot will be challenging. We recommend that a site plan would be required for each lot to obtain a building permit.

Other than the above comments, we feel that the proposed development significantly complies with the village subdivision ordinance. The owner should submit a final plat for signature if the board approves the subdivision. Please call if you have any questions.

cc James Kelly, Dir. Of Public Works