

VILLAGE OF ARLINGTON HEIGHTS

RESOLUTION NO. _____

A RESOLUTION APPROVING A PRELIMINARY PLAT OF SUBDIVISION
AND GRANTING A LOT WIDTH VARIATION
(1821 N. Verde Avenue)

WHEREAS, John Van Kooten and Annie Van Kooten (together, the “*Owners*”) are the owners of record of that certain parcel of real property, commonly known as 1821 N. Verde Avenue, Arlington Heights, Illinois (“*Property*”); and

WHEREAS, the Owners desire to subdivide the Property into two lots, to be known as “Lot 1” and “Lot 2;” and

WHEREAS, pursuant to Section 29-307.b.2 of the “Municipal Code of Arlington Heights, Illinois, 1995,” as amended (“*Village Code*”), the minimum lot width measured at the building setback line is 75 feet; and

WHEREAS, the Owners propose that Lot 2 have a width of 68.5 feet, in violation Section 29-307.b.2 of the Village Code; and

WHEREAS, the Owners submitted an application to the Village to subdivide the Property into Lot 1 and Lot 2, as depicted on that certain plat entitled Van Kooten’s Resubdivision, prepared by Morris Engineering, Inc., consisting of one sheet and dated November 2, 2023, a copy of which is attached to and, by this reference, made a part of this Resolution as Exhibit A (“*Preliminary Plat of Subdivision*”); and

WHEREAS, pursuant to Section 29-201 of the Village Code, the Owners have applied for approval of: (i) a variation from Section 29-307.b.2 of the Village Code to reduce the required width of Lot 2 from 75 feet to 68.5 feet, and (ii) the Preliminary Plat of Subdivision (collectively, the “*Requested Relief*”); and

WHEREAS, pursuant to notice duly published in the *Daily Herald* on January 30, 2024, the Plan Commission of the Village of Arlington Heights (“*Plan Commission*”) conducted a public hearing on February 14, 2024, concerning approval of the Requested Relief; and

WHEREAS, at the conclusion of the public hearing, the Plan Commission made findings and recommended that the President and Board of Trustees grant the Requested Relief, with certain specified development conditions; and

WHEREAS, having considered the findings and recommendations of the Plan Commission, the President and Board of Trustees have found and determined that it will serve and be in the best interest of the Village and its residents to approve the Requested Relief;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS, COOK COUNTY, ILLINOIS, as follows:

SECTION 1. RECITALS. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

SECTION 2. APPROVAL OF PRELIMINARY PLAT OF SUBDIVISION. The Preliminary Plat of Subdivision for the Property is hereby approved pursuant to Section 29-203 of the Village Code and

the home rule powers of the Village. The Owners may not commence construction on the Property until all the requirements set forth in Section 5 of this Ordinance are satisfied.

SECTION 3. SUBMISSION OF FINAL PLAT OF SUBDIVISION. Pursuant to and in accordance with Section 29-204 of the Village Code, the adoption of this Resolution authorizes the Owners to submit a final plat of subdivision for the Property (“*Final Plat of Subdivision*”) to the Board of Trustees. The Final Plat of Subdivision must comply with the requirements in Section 6 below and must be submitted by the Owners for review and approval by the Village no later than 12 months after the effective date of this Resolution, or such extended date as may be approved by the Board of Trustees, in accordance with and pursuant to Section 29-204.c of the Village Code.

SECTION 4. GRANT OF VARIATION. Subject to, and contingent upon, the conditions, restrictions, and provisions set forth in this Ordinance, and as may be set forth in the Final Plat of Subdivision, and in accordance with, and pursuant to, Chapter 29 of the Village Code and the home rule powers of the Village, the Village hereby grants the Owners a variation from Section 29-307.b.2 of the Village Code to reduce the minimum width of Lot 2 from 75 feet to 68.5 feet. No development of Lot 1 or of Lot 2 may occur until and unless the Final Plat of Subdivision has been approved and recorded in accordance with all requirements of Chapter 29 of the Village Code and all other Village requirements are met.

SECTION 5. EFFECT OF APPROVALS. Pursuant to Section 29-204 of the Village Code, the approval of the Preliminary Plat of Subdivision for the Property, as set forth in Section 2 of this Resolution, is not to be deemed or interpreted as authorizing or entitling the Owners to approval of a Final Plat of Subdivision or to any other approval, or to the issuance of any permit, until after all of the standards and procedures for such other approvals or permits have been satisfied. Further, the Board of Trustees will have no obligation to consider or approve a Final Plat of Subdivision unless and until the Owners comply with the applicable procedures for review and approval of a final plat of subdivision for the Property, as set forth in the Village Code.

SECTION 6. CONDITIONS OF APPROVAL. Approval of the Final Plat of Subdivision will be expressly conditioned upon the following provisions, conditions, and restrictions, along with those additional provisions, conditions, and restrictions deemed appropriate by the Board of Trustees in its sole discretion:

- A. Existing Home. The Owners must cause the existing home on the Property to be demolished within six months after the Final Plat of Subdivision is approved by the Village Board.
- B. New Home Design and Tree Preservation. Prior to submittal of a building permit for a new home on Lot 1 or Lot 2, the Owners must refine the design and footprint of each proposed new home in coordination with the Village. The Owners must use reasonable efforts in designing each new home to preserve as many of the existing mature trees on the Property that are in good health, as determined by the Village in its discretion.
- C. New Homes. Prior to submittal of building permit applications for homes on Lot 1 or Lot 2, the Owners must submit applications to the Design Commission for review and approval of each proposed new home.
- D. Impact Fees. Prior to issuance by the Village of a building permit for a new home on Lot 1, the Owners must pay the Village the impact fees required by Chapter 29 of the Village Code.

- E. Linkage Fees. Prior to issuance by the Village of a building permit for a new home on Lot 1 or Lot 2, the Owners must pay the Village the linkage fees required by Chapter 7 of the Village Code for each new home.
- F. Fee-In-Lieu. Prior to issuance by the Village of a site development permit for the required Property improvements, the Owners must pay to the Village a \$8,264.00 fee-in-lieu of onsite detention.
- G. Reimbursement Agreement. In lieu of the Owners installing curbs, gutters, sidewalks, and storm sewers within the portion of the Verde Avenue right-of-way ("*Verde Improvements*") adjacent to the Property as part of the development of Lot 1 and Lot 2, as required by Section 20-107 of the Village Code, prior to issuance by the Village of a site development permit for the required Property improvements, the Owners must enter into an estoppel agreement to reimburse the Village for the Owners' proportionate share of the costs of the Verde Improvements in a form provided by the Village. The estoppel agreement will: (1) waive Owners' objections to the establishment of a special assessment to recoup the costs of the Verde Improvements, (2) require the Owners to deposit their share of the costs of the Verde Improvements in an escrow in lieu of a special assessment when directed by the Village, and (3) be recorded on, and run with, title to the Property.
- H. Regulations. The development, use, operation, and maintenance of the Property must comply at all times with all applicable federal, State, and Village statutes, codes, ordinances, and regulations, as the same have been or may be amended from time to time.

SECTION 7. EFFECTIVE DATE. This Resolution will be in full force and effect from and after its passage and approval as provided by law.

AYES:

NAYS:

PASSED AND APPROVED THIS ____ day of _____, 2024

Village President

ATTEST:

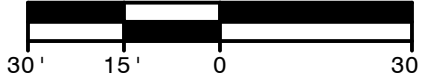
Village Clerk

EXHIBIT A

PRELIMINARY PLAT OF SUBDIVISION

PRELIMINARY PLAT OF
VAN KOOTEN'S RESUBDIVISION
OF

PIN NUMBERS
03-19-104-001
03-19-104-002



BASIS OF BEARING:
EAST LINE OF N. VERDE DRIVE AS FOUND
MONUMENTED AND OCCUPIED.
N 00°00'00" E (ASSUMED)

*THE ACTUAL REQUIRED EXTERIOR SIDEYARD BUILDING SETBACK LINE MAY BE LESS THAN OR GREATER THAN 31.4' AS PRESCRIBED IN THE ARLINGTON HEIGHTS MUNICIPAL CODE. SPECIFICALLY, SECTION 5.1-3.3(c) OF CHAPTER 27 ALLOWS THE EXTERIOR SIDE YARD SETBACK TO BE CALCULATED BASED ON THE AVERAGE OF THE EXISTING SETBACKS OF THE FRONTAGE WHEN 40% OR MORE OF THE FRONTAGE IS DEVELOPED WITH YARDS OF MORE THAN 10 FEET IN DEPTH. IF THIS CODE SECTION IS NO LONGER APPLICABLE, THE REQUIRED SETBACK SHALL BE BASED ON CURRENT CODE REQUIREMENTS.

**THE ACTUAL REQUIRED EXTERIOR FRONT YARD BUILDING SETBACK LINE MAY BE LESS THAN OR GREATER THAN 39.1' AS PRESCRIBED IN THE ARLINGTON HEIGHTS MUNICIPAL CODE. SPECIFICALLY, SECTION 5.1-3.3(a) OF CHAPTER 27 ALLOWS THE FRONT YARD SETBACK TO BE CALCULATED BASED ON THE AVERAGE OF THE EXISTING SETBACKS OF THE FRONTAGE WHEN 40% OR MORE OF THE FRONTAGE IS DEVELOPED WITH YARDS OF MORE THAN 15 FEET IN DEPTH. IF THIS CODE SECTION IS NO LONGER APPLICABLE, THE REQUIRED SETBACK SHALL BE BASED ON CURRENT CODE REQUIREMENTS.

ADDRESS OF LOT 1: _____

ADDRESS OF LOT 2: _____

NOTE: THE EXISTING 30 FOOT BUILDING LINE PER DOCUMENT 16513014 HAS BEEN INCREASED TO 39.1 FEET.

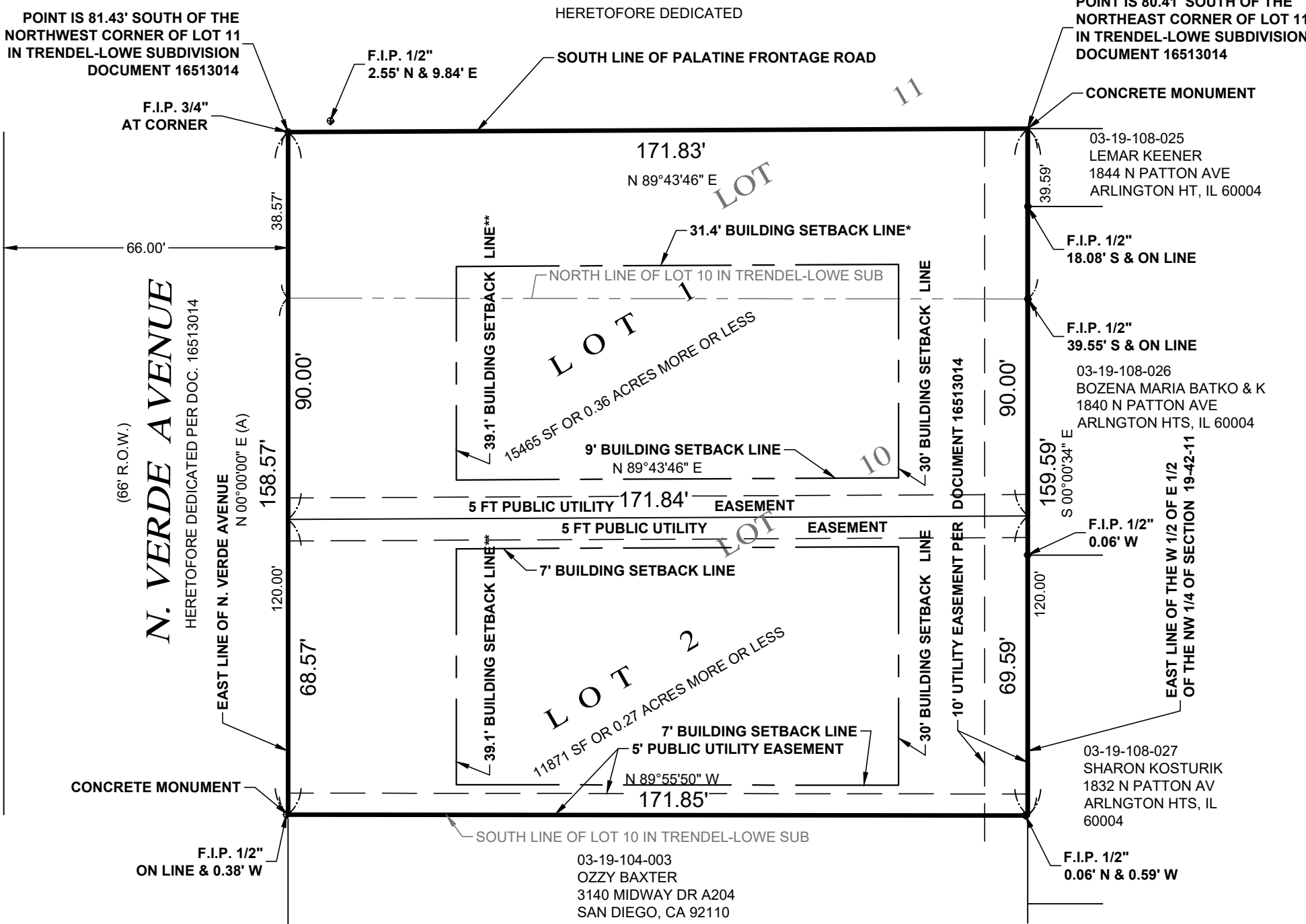
SEND TAX BILL TO:
JOHN AND ANNIE VAN KOOTEN
1821 2309 ROBINCREST LANE
GLENVIEW, IL 60025

SUBDIVIDED BY:
JOHN AND ANNIE VAN KOOTEN
1821 2309 ROBINCREST LANE
GLENVIEW, IL 60025

LOT 10 AND PART OF LOT 11 IN TRENDEL-LOWE SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 16513014 IN COOK COUNTY, ILLINOIS.

LAND AREA = 27,336 SF
OR 0.63 ACRES MORE OR LESS

PALATINE FRONTAGE ROAD



CERTIFICATE OF APPROVAL

STATE OF ILLINOIS)
COUNTY OF COOK) SS

UNDER THE AUTHORITY PROVIDED BY 65 ILCS 5/11-12 AS AMENDED BY THE STATE LEGISLATURE OF THE STATE OF ILLINOIS AND ORDINANCE ADOPTED BY THE VILLAGE BOARD OF THE VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS, THIS PLAT WAS GIVEN APPROVAL BY THE VILLAGE OF ARLINGTON HEIGHTS AND MUST BE RECORDED WITHIN SIX MONTHS OF THE DATE OF APPROVAL BY THE VILLAGE BOARD, OTHERWISE IT IS NULL AND VOID.

APPROVED BY THE PLAN COMMISSION AT A MEETING HELD _____

CHAIRMAN _____

SECRETARY _____

APPROVED BY THE VILLAGE BOARD OF TRUSTEES AT A MEETING HELD _____

PRESIDENT _____

VILLAGE CLERK _____

APPROVED BY THE VILLAGE COLLECTOR _____

APPROVED BY THE VILLAGE ENGINEER _____

UTILITY CERTIFICATE

COMMONWEALTH EDISON COMPANY
EASEMENT APPROVED AND ACCEPTED

BY: _____ DATE: _____, 20____

TITLE: _____

AMERITECH/SBC
EASEMENT APPROVED AND ACCEPTED

BY: _____ DATE: _____, 20____

TITLE: _____

NICOR GAS
EASEMENT APPROVED AND ACCEPTED

BY: _____ DATE: _____, 20____

TITLE: _____

COMCAST CABLE
EASEMENT APPROVED AND ACCEPTED

BY: _____ DATE: _____, 20____

TITLE: _____

WIDE OPEN WEST, LLC
EASEMENT APPROVED AND ACCEPTED

BY: _____ DATE: _____, 20____

TITLE: _____

SCHOOL DISTRICT CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

THIS IS TO CERTIFY THAT JOHN AND ANNIE VAN KOOTEN, AS DEVELOPERS OF THE PROPERTY HEREIN DESCRIBED IN THE SURVEYORS CERTIFICATE WHICH WILL BE KNOWN AS VAN KOOTEN'S RESUBDIVISION, TO THE BEST OF OUR KNOWLEDGE, IS LOCATED WITHIN THE BOUNDARIES OF CONSOLIDATED COMMUNITY SCHOOL DISTRICT NO. 25, TOWNSHIP HIGH SCHOOL DISTRICT 214, AND HARPER COMMUNITY COLLEGE DISTRICT 512, IN COOK COUNTY, ILLINOIS.

DATED THIS _____ DAY OF _____, 20____

BY: _____

DEED OF DEDICATION

WE, THE UNDERSIGNED, JOHN AND ANNIE VAN KOOTEN, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY LAY OFF, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THE WITHIN PLAT. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS VAN KOOTEN'S RESUBDIVISION, AN ADDITION TO THE VILLAGE OF ARLINGTON HEIGHTS, COOK COUNTY. ALL STREETS AND ALLEYS AND PUBLIC OPEN SPACES SHOWN AND NOT HERETOFORE DEDICATED, ARE HEREBY DEDICATED TO THE PUBLIC. FRONT AND SIDE YARD BUILDING SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THIS PLAT, BETWEEN WHICH LINES AND THE PROPERTY LINES OF THE STREETS, THERE SHALL BE ERRECTED OR MAINTAINED NO BUILDING OR STRUCTURE. THERE ARE STRIPS OF GROUND, 5 FEET AND 10 FEET IN WIDTH, AS SHOWN ON THIS PLAT AND MARKED "EASEMENT" RESERVED FOR THE USE OF PUBLIC UTILITIES FOR THE INSTALLATION OF WATER AND SEWER MAINS, POLES, DUCTS, LINES AND WIRES, SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AN TO THE EASEMENT HEREIN RESERVED. NO PERMANENT OR OTHER STRUCTURES ARE TO BE ERRECTED OR MAINTAINED UPON SAID STRIP OF LAND, BUT OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE THEIR TITLES SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES, AND TO THE RIGHTS OF THE OWNERS OF OTHER LOTS IN THIS SUBDIVISION.

THE RIGHT TO ENFORCE THESE PROVISIONS BY INJUNCTION, TOGETHER WITH THE RIGHT TO CAUSE THE REMOVAL, BY DUE PROCESS OF LAW, OF ANY STRUCTURE OR PART THEREOF ERRECTED OR MAINTAINED IN VIOLATION THEREOF, IS HEREBY DEDICATED TO THE PUBLIC, AND RESERVED TO THE SEVERAL OWNERS OF THE SEVERAL LOTS IN THIS SUBDIVISION AND TO THEIR HEIRS AND ASSIGNS.

WITNESS OUR HANDS AND SEALS THIS _____ DAY OF _____, 20____.

NOTARY CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE, PERSONALLY APPEARED JOHN VAN KOOTEN AND ANNIE VAN KOOTEN AND EACH SEPARATELY AND SEVERALLY ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS IS OR HER VOLUNTARY ACT AND DEED, FOR THE PURPOSES THEREIN SET FORTH.

WITNESS MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CERTIFICATE AS TO SPECIAL ASSESSMENTS

STATE OF ILLINOIS)
COUNTY OF COOK) SS

I, _____, COUNTY CLERK OF COOK COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OF ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE TRACT FO LAND INCLUDED IN THE PLAT.

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

BY: _____

COUNTY CLERK

COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

I DO NOT FIND ANY DELINQUENT GENERAL TAXES, UNPAID CURRENT GENERAL TAXES, DELINQUENT SPECIAL ASSESSMENTS OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST THE TRACT OF LAND ON THE ABOVE PLAT.

DATED THIS _____ DAY OF _____, 20____

BY: _____

COUNTY CLERK

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS.

I, THOMAS J. CESAL, AN ILLINOIS PROFESSIONAL LAND SURVEYOR HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

PARCEL 1:
THAT PART OF LOT 11 IN TRENDEL-LOWE SUBDIVISION, A SUBDIVISION OF THE NORTH 659.62 FEET OF THE WEST HALF OF THE EAST HALF (EXCEPT THE WEST 221.5 FEET THEREOF) OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF A LINE CONNECTING A POINT ON THE WEST LINE OF SAID LOT THAT IS 81.43 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT WITH A POINT ON THE EAST LINE OF SAID LOT THAT IS 80.41 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT, IN COOK COUNTY, ILLINOIS.

PARCEL 2:
LOT 10 IN TRENDEL-LOWE SUBDIVISION, A SUBDIVISION OF THE NORTH 659.62 FEET OF THE WEST HALF OF THE EAST HALF (EXCEPT THE WEST 221.5 FEET THEREOF) OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

AND THE HEREON DRAWN PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SAME. ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS OF A FOOT AND ARE CORRECT AT A TEMPERATURE OF 68 DEGREES FAHRENHEIT.

I FURTHER CERTIFY THAT THIS PROPERTY APPEARS, BY SCALED MEASUREMENT, TO FALL WITHIN ZONE X AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 17031C0201J WITH AN EFFECTIVE DATE OF 8/19/2008.

FURTHERMORE, I DESIGNATE THE VILLAGE OF ARLINGTON HEIGHTS TO ACT AS MY AGENT, FOR THE PURPOSES OF RECORDING THIS DOCUMENT.

IRON RODS AND CONCRETE MONUMENTS WILL BE SET AT PROPERTY CORNERS UPON COMPLETION OF MASS GRADING.

DATED, THIS 12TH DAY OF MARCH, A.D., 2024, AT LISLE, ILLINOIS.

Thomas J. Cesal

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2205
MY LICENSE EXPIRES NOVEMBER 30, 2024.
ILLINOIS PROFESSIONAL DESIGN FIRM PROFESSIONAL
ENGINEERING CORPORATION NO. 184-001245

CLIENT: JOHN & ANNIE VAN KOOTEN



REVISED 11/02/2023

SHEET 1 OF 1
PROJ # 20-10-1003



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Civil Engineering • Consulting
Land Surveying
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Survey: (630) 271-0599
FAX: (630) 271-0774
Website: www.ecivil.com