

## HOGRAVE PETITION FOR SUBDIVISION

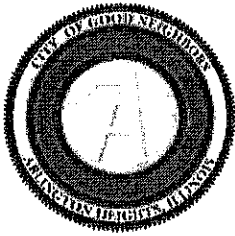
Petition # P.C. 17 002

### PETITIONERS RESPONSES TO SECOND ROUND COMMENTS AND REQUEST FOR PRELIMINARY HEARING

Petitioner further agrees to the proposed rezoning from R-1 to R-2 District

Petitioner further seeks land use variation regarding use of existing water supply and waste line for Lot 1 until such time as a new structure is placed thereon, further, that the engineering for the water supply and installation of same be stayed until such time as a building permit is sought to erect a new home on proposed Lot 1, and that the engineering and installation for the sidewalk to be installed on proposed Lot 2 be stayed until such time as proposed Lot 2 is developed and that the ordinance approving of this subdivision allow for same.

The comments received from each department are attached hereto with Petitioner's written response following each department's comments.



## **Village of Arlington Heights Building Services Department**

### **Interoffice Memorandum**

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**To:** Sam Hubbard, Development Planner, Planning and Community Development  
**From:** Deb Pierce, Plan Reviewer, Building Services Department  
**Subject:** 2214 E Palatine Rd., Preliminary and Final Plat of Subdivision  
**PC#:** 17-002 – Round 1  
**Date:** January 30, 2017

**Sam:**

I have reviewed the submitted documents and have no comments at this time.

No comments from the Building Services Department, and therefore Petitioners have no response.

**PLAN COMMISSION PC #17-002**  
**Hogreve Resubdivision**  
**2214 E. Palatine Road**  
**Preliminary/Final Plat of Resubdivision**  
**Round 2**

17. There was no written response made by the petitioner to comment #11. To reiterate, the petitioner is notified that these comments are being provided to ensure that the project meets the requirements for submittal to the Plan Commission. Approval by the Plan Commission is not an endorsement or approval of these documents to obtain the required building permits, engineering approval, or permits required by other government or permitting agencies for construction. Detailed plan review with associated comments will be provided upon submittal of plans for a building permit. The petitioner shall acknowledge that they accept this understanding.
18. The response made by the petitioner to comment #12 is not acceptable. The Subdivision Code under Chapter 29 requires the following items: An Engineers estimate of construction cost for full site improvements is required to complete the calculation for plan review, inspection, and other fees. An Engineers estimate of construction cost for public improvements is also required to complete the calculation for the required public improvement guarantee deposit. The public improvements for this development would be the public sidewalk along East Lilac Terrace and the water main extension. These estimates should be submitted at least three weeks prior to the final Plan Commission meeting to allow us time to generate the fee letter and for the petitioner to assemble the proper documents.
19. The response made by the petitioner to comment #13 is noted. There are needed changes to the Final Plat of Subdivision (see Comment #22). These changes must be made before any signatures are obtained.
20. The response made by the petitioner to comment #14 is noted. The petitioner has agreed to utilize the Village's calculations in determining the fee in-lieu-of detention. Once confirmation has been presented in the form of a recorded document number that the Palatine Road ROW has been taken, the stormwater calculations will be re-done using the total subdivision area of 0.862 acres.
21. The response made by the petitioner to comment #15 is not acceptable. The water main must be extended to service the lot fronting Palatine Road. An IEPA Water Permit is required for the extension of public water main. This public improvement is required to be installed as part of the subdivision approval process. The water service line to the existing house at 212 E. Palatine Road must then be connected to the new water main and the existing service line through the Lot 2 property can then be properly abandoned. This will negate the need for any private utility easement.


Final Plat of Subdivision:

22. The response made by the petitioner to comment #16 is noted. Please address the following items:
  - a. Remove the "Private Public Utility Easement Provisions".
  - b. Include the document number for the Palatine Road ROW take.
  - c. Remove the stormwater detention calculation sheet from the Final Plat of Subdivision.
  - d. Leave areas available for the required certificates from Cook County.
  - e. If the water main extension is to be located along the west side of the property, a 10' easement will be necessary.

**RECEIVED**

**MAR 06 2017**

**PLANNING & COMMUNITY  
DEVELOPMENT DEPARTMENT**

 **3/3/17**  
James J. Massarelli, P.E.      Date  
Director of Engineering

Engineering Department responses:

17. Acknowledged.

18. The Village Code allows for a Subdivision to be approved with non-conformities, provided that same are noted in the Ordinance which is adopted approving of the subdivision (see General Note 19 from the Planning & Community Development Department round 2 comments attached). This is not a situation where a large developer is coming into the Village to put up a number of new homes, which would impact upon the Village if the costs for the sidewalks and other improvements are not addressed at the time the subdivision is approved. Allowing a legal, non-conforming existing use to the residence that was built in 1955, prior to annexation of this land into the Village, would not cause any undue costs to the Village or impair the value of the neighboring community with regard to proposed Lot 1, and providing in the ordinance approving this subdivision that at such time as a permit is sought for the construction of a new residence on proposed Lot 1 that the engineering and installation of a new water main/supply be addressed would be consistent with protecting the Village from such expenses in the future. Likewise, the potential purchaser of proposed Lot 2 has agreed to pick up the costs associated with the sidewalk that would be put in front of proposed Lot 2 as part of their permit process for the erection of a new home on Lot 2.

19. Petitioner agrees to make the changes needed to the set backs, easements, etc., and the signature blocks for the County and other officials and to obtain all non-Village signatures prior to the final Plan Commission meeting.

20. Village calculations to determine the fee in lieu of detention have been provided by the Village. Per the comments in paragraph 22 below, the calculations shall be removed from the plat. See revised title commitment from Chicago Title which will insure that the portion of the legal description which had been in the underlying roadway is removed from the legal description for the property attached hereto. Please revise the calculations to the remaining .862 acres of land which remain owned by petitioner (see survey of the subject premises which shows same).

21. All of the adjoining homes are already serviced by water mains, and the installation of a main (which by definition is a line large enough to provide water to several different properties) just for the one pre-existing house would not be necessary, provided that the Zoning Board and the Village were to allow for the approval of this subdivision with the existing non-conformities. Petitioner seeks the input from the board at this time and is not asking for final approval, pending further guidance on the issue of the existing water supply line and the "grandfathering" of the existing home. In the event such recommendation is not forthcoming from the Village, petitioner shall re-visit the issue of the engineering and the timing of the installation of same. Petitioner would like to keep the existing private easement for use with the existing home on Lot 1, until such time as a permit is submitted for the erection of a new home on Lot 1, and shall provide in the Plat of Subdivision for an easement on the West side of the property for the future installation and use of same.

22. a. Petitioner respectfully requests that the Board consider allowing the private easement for water supply until such time as a permit is issued for new construction on Lot 1.

b. The Palatine Road take for the row was accomplished by fiat and per the attached commitment from Chicago Title, the legal descriptions as set forth on the proposed plat of subdivision will cover the roadway and allow for insurable title to proposed lots 1 and 2.


c. The storm water calculations will be removed from the final plat.

d. Signature block for Cook County shall be added.

e. a 10 foot easement along the west side of the property shall be added for future installation of a water main.

Village of Arlington Heights  
Public Works Department

**Memorandum**

To: Sam Hubbard, Planning and Community Development  
From: Cris Papierniak, Assistant Director of Public Works   
Date: March 10, 2017  
Subject: 2214 E. Palatine Rd., P.C. #17-02 Round 2

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With regard to the proposed preliminary & final plat of subdivision, I have the following comments:

- 1) The response made by the petitioner to PW comments is not acceptable. The water main must be extended to service the lot fronting Palatine Road and end with a hydrant. An IEPA Water Permit is required for the extension of public water main. This public improvement is required to be installed as part of the subdivision approval process. The water service line to the existing house at on E. Palatine Road must then be connected to the new water main and the existing service line through the Lot 2 property can then be properly abandoned.

If you have any questions, please feel free to contact me.

C. file

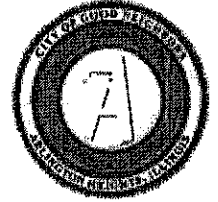
Public Works Department responses:

1. The Revised POS provides that any future building on Lot 2 will need to be supplied with water from the utility easements which have been added thereon. With regard to the existing home on Lot 1, the existing residence on lot one is presently supplied with water from the Village of Arlington Heights via a supply line, and has water waste lines on site over proposed Lot 2, and the revised plans provide for a private easement over Lot 2 to allow for such continued services, so at this time, no IEPA approval or new water supply is needed. The final POS provides that the existing structure on Lot 1 is a legal non-conforming residence (its construction began prior to 1955 and prior to annexation of this property into the Village), and further, the proposed POS provides that in the event a new home is erected in its place, at such time a new hydrant and new water supply/main will need to be furnished at which time such engineering costs are to be picked up then as part of the new construction permit for Lot 1. Such pre-existing non-conforming uses may be approved by the Village, provided that same are clearly specified within the approval ordinance. Petitioner is seeking preliminary approval at this time and guidance from the board with regard to this issue. See also the responses to the round 2 Engineering comments, 18 and 21 above.



# Planning & Community Development Dept. Review

February 6, 2017



## REVIEW ROUND 2

Project: 2214 E. Palatine Rd.  
Proposed Subdivision

Case Number: PC 17-002

### General:

18. The response to comments #7, #8, #10, #11, #12, and #15 are acceptable.
19. The response to comment #9 is acceptable. However, staff notes that no action is being taken on the existing non-conformities that are allowed to remain as per Section 28-7 "Non-Conforming Use and Building" of Chapter 28 of the Municipal Code. No part of the subdivision and rezoning process shall be deemed to permit these non-conformities unless specified within the approval ordinance.
20. The response to comment #13 is noted, and a condition of approval that requires the installation of this sidewalk prior to construction of a home on Lot 2 may be acceptable. However, an Engineers Estimate of Construction cost is still needed prior to proceeding with Final Plat of Subdivision approval, which estimate shall include both the sidewalk and water main extension (inclusive of the fire hydrant).

### Zoning:

21. The response to comment #14 is noted. With regards to #14a, given that the petitioner has stated that the property line along Palatine Road will not be moved to accommodate the dedication of the Palatine Road ROW, no change to the existing front yard setback will occur. Furthermore, if the property is rezoned into the R-2 District, the required front yard setback is only 25', and the existing home conforms to this requirement. Therefore, a front yard setback Variation is not needed. With regards to 14b, if the shed is moved it will negate the need for this Variation. A condition of approval requiring the movement of this shed will be added to the subdivision approval.

### Final Plat of Subdivision:

22. The response to #16 references an attached page from a title report. However, no page was attached. Please provide confirmation, via a recording number, that the Palatine ROW has been granted to IDOT.
23. The response to #17 is noted, however, the incorrect setbacks are shown on the Plat. Please note the following setbacks for the R-2 District, which are what must be shown on the Plat for each lot:
  - Front Yard Setback: 25'
  - Side Yard setback (west): 10'
  - Side Yard setback (east): 10' is required, but this may be increased to 15' to coincide with the 15' easement.
  - Rear Yard Setback: 30'

Please revise the Plat to show the above setbacks for each lot. In addition, please remove the proposed residence from the Final Plat of Subdivision. It should remain shown on the Preliminary Plat, however, it should not be shown on the Final Plat of Subdivision.

18. Per Chapter 29, Section 29-209(s), the PIN of the subject property should be noted on the Plat.

Prepared by:



Planning and Community Development Department responses;

18. Agreed.

19. Petitioner agrees that in the event the POS is approved, the zoning will be changed to R-2, provided that the existing residence on Lot 1 may continue as a legal, non-conforming (preexisting) residence with was built prior to 1955 and prior to annexation of this land into the Village, until such time as a permit for a new residence is submitted for constructed thereon. Petitioner is seeking guidance from the Board on this point and will re-visit same following the comments received from the board.

20. The Revised POS provides that any future building on Lot 2 will need to be supplied with water from the utility easements which have been added thereon. With regard to the existing home on Lot 1, the existing residence on lot one is presently supplied with water from the Village of Arlington Heights via a supply line, and has water waste lines on site over proposed Lot 2, and the revised plans provide for a private easement over Lot 2 to allow for such continued services, so at this time, no IEPA approval or new water supply is needed. The final POS provides that the existing structure on Lot 1 is a legal non-conforming residence (its construction began prior to 1955 and prior to annexation of this property into the Village), and further, the proposed POS provides that in the event a new home is erected in its place, at such time a new hydrant and new water supply/main will need to be furnished at which time such engineering costs are to be picked up then as part of the new construction permit for Lot 1. Such pre-existing non-conforming uses may be approved by the Village, provided that same are clearly specified within the approval ordinance. Petitioner is seeking preliminary approval at this time and guidance from the board with regard to this issue. See also the responses to the round 2 Engineering comments, 18 and 21 above.

21. Petitioner shall revise the POS to provide for the 25 foot set back called for under R-2 and agrees that the shed shall be moved prior to final consideration of this subdivision.

22. Palatine road was widened by fiat by the State and attached is the revised title for the property which confirms that the legal descriptions used shall allow for transfer of insurable title.

23. The front yard setback shall be revised to 25 feet for each lot; the west side yard shall be revised to 10 feet. The proposed east side yard shall be established at 15 feet (provided the private easement is approved) or revised to 10 feet following comments from the board, the rear yards shall each be changed to a 30 foot setback. The proposed residence shall be removed from the final plat.

**CHICAGO TITLE INSURANCE COMPANY****COMMITMENT NO. 16NW7125219PK****REVISION 1**

ORIGINATING OFFICE:	FOR SETTLEMENT INQUIRIES, CONTACT:
Chicago Title Company, LLC 1030 West Higgins Road, #200 Park Ridge, IL 60068 Main Phone: (847)384-2600 Email: cthiggins@ctt.com	Chicago Title and Trust Company 1030 West Higgins Road, #200 Park Ridge, IL 60068 Main Phone: (847)384-2600 Main Fax: (847)318-0078

Issued By:

**SCHEDULE A****ORDER NO. 16NW7125219PK**

Property Ref.: 2214 E Palatine Rd, Arlington Heights, IL 60004

1. Effective Date: November 16, 2016
2. Policy or (Policies) to be issued:
  - a. ALTA Owner's Policy 2006  
Proposed Insured: To Be Determined  
Policy Amount: To Be Determined
  - b. ALTA Loan Policy 2006  
Proposed Insured: To Come, its successors and/or assigns as their respective interests may appear  
Policy Amount: To Be Determined
3. The estate or interest in the land described or referred to in this Commitment is:  
Fee Simple
4. Title to the estate or interest in the land is at the Effective Date vested in:  
Elroy Hogreve, as trustee of the Elroy Hogreve Declaration of Trust dated November 5, 1992, as to an undivided 1/2 interest; &  
  
Corrine Hogreve, as trustee of the Corinne Hogreve Declaration of Trust dated November 5, 1992, as to an undivided 1/2 interest

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ALTA Commitment (06/17/2006)



**SCHEDULE A**

(continued)

5. The land referred to in this Commitment is described as follows:

THAT PART OF THE EAST QUARTER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING THE EAST HALF OF LOT 14 OF SCHOOL TRUSTEES SUBDIVISION OF SECTION 16, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO BEING THE SOUTHEAST CORNER OF LOT 14 OF SCHOOL TRUSTEES SUBDIVISION, THENCE WEST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER, BEING THE CENTER LINE OF PALATINE ROAD, FOR A DISTANCE OF 100.00 FEET, THENCE NORTH AND PARALLEL TO THE EAST LINE OF THE SOUTHWEST QUARTER FOR A DISTANCE OF 435.60 FEET, THENCE EAST AND PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST QUARTER FOR A DISTANCE OF 100 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 16, THENCE SOUTH ALONG THE EAST LINE OF THE SOUTHWEST QUARTER FOR A DISTANCE OF 435.60 FEET TO THE PLACE OF BEGINNING, EXCEPT FOR THAT PORTION TAKEN FOR ROADWAY PURPOSES, ALL IN COOK COUNTY, ILLINOIS.

**END OF SCHEDULE A**

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ALTA Commitment (08/17/2006)

