



**NAPERVILLE PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS – MUNICIPAL CENTER
FINAL AGENDA
03/07/2012 - 7:00 p.m.**

CALL TO ORDER:

A. ROLL CALL

B. APPROVE MINUTES

C. OLD BUSINESS

D. PUBLIC HEARINGS

1. PC Case # PZC 12-1-017 Autumn Run Setback
Petitioner: Autumn Run Apartments, LLC
Location: Southeast corner of Diehl Road and Country Lakes Drive

Request: Conduct the public hearing.

Official Notice: Notice published in Naperville Sun on February 19, 2012.

2. PC Case # PCZ 12-1-014 1116 Catherine Avenue
Petitioner: Chris and Sara Connelly, 5S634 Columbia Street,
Naperville, IL 60563
Location: 1116 Catherine Avenue

Request: Conduct the public hearing.

Official Notice: Published in the Naperville Sun on Sunday February 19, 2012

3. Mobile Gas Station, PCS 12-1-019 - No variance needed. Petition withdrawn.

4. PC Case # PCZ 12-1-015 2275 W. Diehl Road (Handi-foil)
Petitioner: Handi South LLC, 135 East Hintz Road, Wheeling, IL
60090
Location: 2275 W. Diehl Road

AGENDA
NAPERVILLE PLANNING AND ZONING COMMISSION
03/07/2012 - 7:00 p.m. - COUNCIL CHAMBERS
Page 2

Request: This case has been withdrawn.

Official Notice: Published in the Naperville Sun on Friday, February 17, 2012.

5. PC Case # PZC 12-1-004 Kittilsen Estates
Petitioner: Dan Kittilsen
Location: 27 W 371 Knoch Knolls Road

Request: Conduct the public hearing.

Official Notice: Official notice was published in the Naperville Sun on February 19, 2012.

- E. REPORTS AND RECOMMENDATIONS**
- F. CORRESPONDENCE**
- G. NEW BUSINESS**
- H. ADJOURNMENT**

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the Accessibility Coordinator at least 48 hours in advance of the scheduled meeting. The Accessibility Coordinator can be reached in person at 400 S. Eagle Street, Naperville, IL., via telephone at 630-420-6725 or 630-305-5205 (TDD) or via e-mail at manningm@naperville.il.us. Every effort will be made to allow for meeting participation.



Naperville

PLANNING AND ZONING COMMISSION AGENDA ITEM

PC CASE: 12-1-017 **AGENDA DATE:** 3/7/2012
SUBJECT: Autumn Run Setback
 Petitioner: Autumn Run Apartments, LLC, 26 Jade Place, San Francisco, California, 94131

LOCATION: Southeast corner of Diehl Road and Country Lakes Drive

Correspondence New Business Old Business Public Hearing

SYNOPSIS:

The petitioner requests a major change to the Autumn Run PUD and deviation from Section 6-6F-7 (R4: Yard Requirements) to reduce the required 25’ front yard setback along Diehl to reflect new conditions resulting from an IDOT right-of-way taking along Diehl Road adjacent to the subject property.

PLANNING AND ZONING COMMISSION ACTION PREVIOUSLY TAKEN:

Date	Item No.	Action
N/A	N/A	N/A

ACTION REQUESTED/RECOMMENDED THIS MEETING:

Conduct the public hearing.

PREPARED BY: Allison Laff, AICP, Planning Operations Manager

EXISTING ZONING, LAND USE, AND LOCATION:

The subject property, comprised of 7.824 acres, is located at the southeast corner of Diehl Road and Country Lakes Drive. The property is zoned R4 PUD (Medium Density Multiple-Family Residence District) and is presently improved with the Autumn Run Apartments. The subject request relates to one apartment building, deck and parking lot directly adjacent to Diehl Road.

RELATIONSHIP TO THE OFFICIAL PLAN OF THE CITY OF NAPERVILLE:

The Northwest Sector Update to the Comprehensive Master Plan identifies the future use of the property as “Medium Density Residential”.

PLANNING SERVICES TEAM REVIEW:

In conjunction with the widening of Route 59 from I-88 to Aurora Avenue, IDOT will be acquiring additional right-of-way along Diehl Road adjacent to the subject property (24.90 feet at the east end of Autumn Run; 25.6 feet at the west end). As a result of the additional right-of-way taking, the 25’ front yard setback along Diehl Road (as required by both the underlying R4

Autumn Run Setback – PC 12-1-017

March 7, 2012

Page 2 of 2

zoning district and the Autumn Run PUD) can no longer be met for one apartment building, an attached deck, and a surface parking lot. The petitioner is seeking a major change to the Autumn Run PUD and deviation from Section 6-6F-7 (R4: Yard Requirements) to reduce the required 25' front yard setback to reflect the new distance that each of these structures will have from Diehl Road (24.8 feet setback for the building; 16.7 feet for the deck; 10.5 feet for the surface parking lot). The petitioner has requested this approval in order to avoid potential title issues resulting from the building's non-conforming status in the future.

The petitioner provided responses to the PUD criteria in the attached Development Petition. Staff concurs with the petitioner's findings and supports the requested major change and deviation. Per the Municipal Code, the requested major change to the PUD and deviation will be tied to the existing structures; the petitioner understands that should the existing structures be demolished at a future date, any new structure will be required to comply with the underlying R4 setback requirements.

ACTION REQUESTED:

Conduct the public hearing.

ATTACHMENTS:

1. Autumn Run – Development Petition – PZC 12-1-017
2. Autumn Run – Legal Description – PZC 12-1-017
3. Autumn Run – Plat of Survey – PZC 12-1-017
4. Autumn Run – Zoning Exhibit – PZC 12-1-017
5. Autumn Run – Location Map – PZC 12-01-017

**CITY OF NAPERVILLE
TRANSPORTATION, ENGINEERING AND DEVELOPMENT
BUSINESS GROUP
APPLICATION FOR ANNEXATION AND REZONING**

DEVELOPMENT NAME: Autumn Run

Date of Submission: February 3, 2012

I. APPLICANT/PETITIONER:

Name: Autumn Run Apartments, LLC

Address: 26 Jade Place, San Francisco, California 94131

Telephone Number:

Contact Person: Peter Fazio

Relationship of Applicant to Subject Property: owner

II. OWNER OF THE PROPERTY:

Name: Autumn Run Apartments, LLC

Address: 26 Jade Place, San Francisco, California 94131

III. ACTION REQUESTED:

- | | |
|--------------------------------------------------------------------------------|---------------------------------------------------------------------|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Site Plan Review |
| <input type="checkbox"/> Preliminary PUD Plat | <input type="checkbox"/> Final PUD Plat |
| <input type="checkbox"/> Major Change to a Conditional Use | <input type="checkbox"/> Minor Change to a Conditional Use |
| <input checked="" type="checkbox"/> Major Change to a Planned Unit Development | <input type="checkbox"/> Minor Change to a Planned Unit Development |
| <input type="checkbox"/> Preliminary Plat of Subdivision | <input type="checkbox"/> Final Plat of Subdivision |
| <input type="checkbox"/> Subdivision Waivers | <input checked="" type="checkbox"/> Zoning Variance |

IV. APPLICANT'S/PETITIONER'S STAFF:

Attorney: Dommermuth, Brestal, Cobine & West, Ltd. Telephone Number: 630/355-5800
 Address: 123 Water Street
 Naperville, Illinois 60540
 Fax Number: 630/355-5976 E-Mail:

Engineer: Ruettinger, Tonelli & Associates, Inc. Telephone Number: 815/744-6600
 Address: 2174 Oneida Street
 Joliet, Illinois 60435
 Fax Number: E-Mail:
jzediker@ruettigertonelli.com

Architect: Telephone Number:
 Address: E-Mail:
 Fax Number: E-Mail:

V. PROJECT DATA:

1. Location: southeast corner of Diehl Road and Country Lakes Drive
2. County: DuPage X Will
3. General Description of the Site: Improved with apartment buildings and accessory parking lots
4. Existing Zoning on the Site: R4 (High Density Multiple-Family Residence District)
5. Acreage of Site: 7.824 acres
6. Character of Surrounding Area:

	ZONING	JURISDICTION	EXISTING LAND USE	ADOPTED CITY PLAN
North	I	City of Naperville	Offices	Office/Research
South	R4 PUD	City of Naperville	Single Family/ Golf Course	Low Density Residential
East	R4 PUD	City of Naperville	Multi-Family	Medium Density Residential
West	R4 PUD	City of Naperville	Multi-Family	Medium Density Residential

7. List Controlling Ordinances, Agreements and Plats:
 - Ordinance No. 81-23, Authorizing a PUD as a Special Use
 - Ordinance No. 84-174, Approving a Final Plat of PUD
 - Ordinance No. 00-185, Approving a Minor Change to the PUD

8. Is this property within the City limits?
 - Yes
 - No, requesting annexation
 - Under review by another governmental agency and requires review due to 1 ½ mile jurisdictional requirements

9. Permanent Parcel Number: 07-09-222-007

10. For annexation petition, are there electors living on the property:
 - Yes No

VI. PROPOSED DEVELOPMENT:

1. Type of Development:
 - Residential Commercial Office
 - Industrial Other:

2. Proposed Zoning: R4 (High Density Multiple-Family Residence District)

3. Description of Proposal: To grant setback variances for the building located on Diehl Road due to a taking by the Illinois Department of Transportation.

4. General Land Use Data:

	Resid.	Comm.	Office	Indst.	R.O.W.	Park	School	Private	Other	Total
No. of Acres	7.824									7.824
% of Total	100%									100%

*Please explain: School and Vocational Development/Training Center

5. Development Densities:

	Number of Units	Gross Acres	Gross Density	Modified Gross Acres	Modified Gross Density	Minimum Lot Size	Maximum Lot Size	Average Lot Size
Single-Family								
Townhouse								
Duplex								
Apartment								
Comm.								
Office								
Industrial								

- Gross Acres = land designated for land use type including right-of-way.
- Gross Density = number of units divided by gross acres.
- Modified Gross Acres = residential acreage including internal right-of-way, detention facilities, school and park dedications and open space.
- Modified Gross Density = number of units divided by modified gross acres.

6. Community Facilities within the Development:

School Site: Not Applicable

Open Space: Not Applicable

- a. Park Site (to be conveyed to a governmental entity):
- b. Common Areas (to be conveyed to a homeowners association):
- c. Private Facility (to be conveyed to _____):

Total: None

7. Description of any Non-Residential, Commercial or Industrial portion of the Development:

8. Description of Stormwater Management Facilities:
9. Deviations from the Zoning Regulations: Setback Variances along Diehl Road
 - building: 24.8 feet
 - parking lot: 10.5 feet
 - deck: 16.7 feet
10. Deviations from the Subdivision Regulations: None
11. Deviations from the Landscaping Regulations: Existing Condition

VII. SCHOOL AND PARK DONATION REQUIREMENTS:

1. Required School Donation: Not Applicable
 - Land:
 - Cash:
 - How Satisfied:
2. Required Park Donation: Not Applicable
 - Land:
 - Cash:
 - How Satisfied:

KCW/01/30/12

Autumn Run

STATE OF ILLINOIS)
)
 COUNTIES OF DUPAGE)
 AND WILL)
)
 CITY OF NAPERVILLE)

**PETITION TO GRANT A MAJOR CHANGE TO THE AUTUMN RUN PLANNED
 UNIT DEVELOPMENT**

The undersigned Petitioner, Autumn Run Apartments, LLC, being the Owner of the real property legally described in **Exhibit A**, said exhibit being attached hereto and made a part hereof, (hereinafter referred to as the "Subject Property") respectfully petitions the City of Naperville (a) to grant a major change to the planned unit development for the Subject Property pursuant to Section 6-4-6 of the Zoning Regulations of the Naperville Municipal Code and (b) to grant any requisite zoning and/or subdivision deviations and/or variances associated with the requested major change to the planned unit development.

In support of this Petition, the Petitioner represents to the City of Naperville as follows:

1. That the Petitioner, Autumn Run Apartments, LLC, 26 Jade Place, San Francisco, California 94131 is the Owner of the Subject Property.
2. That the Subject Property is within the corporate limits of the City of Naperville, DuPage and Will Counties, Illinois.
3. That the Subject Property consists of approximately 7.824 acres and is located on the southeast corner of Diehl Road and Country Lakes Drive and is in the County of DuPage, Illinois.
4. That the Subject Property is zoned R4 (High Density Multiple-Family Residence

151632/1

District), with a Planned Unit Development.

5. That the Subject Property is presently improved with eight apartment buildings and accessory parking lots.

6. That the existing land uses surrounding the Subject Property are as follows:

- North: offices
- East: multi-family residential subdivisions
- South: single-family residential subdivision/golf course
- West: multi-family residential subdivision.

7. That the Petitioner requests that the City grant a major change to the Autumn Run PUD.

8. That the requested major change to the Autumn Run PUD would grant variances to the front yard setback (Diehl Road setback) due to the taking by the State of Illinois Department of Transportation of land along Diehl Road. Said major change would allow the Petitioner to utilize the Subject Property to an extent which would be compatible with surrounding uses and which would expand its use to the highest and best use of the real estate for the benefit of both the Petitioner and the community.

9. That the basis of Petitioner's request is as follow:

Illinois Department of Transportation (hereinafter referred to as "IDOT") is beginning the widening of Route 59 from Interstate 88 to Aurora Avenue. As part of this project, IDOT will be widening Diehl Road west of Route 59. In order to achieve the necessary right-of-way for Diehl Road, IDOT is taking a strip of land along Diehl Road from Autumn Run. This taking is 24.9 feet at the east end of Autumn Run and 25.6 feet at the west end of Autumn Run. One building in Autumn Run is located on Diehl Road. The taking of this strip of land will reduce

151632/1

the existing setback along Diehl Road for this building. Due to the taking, the setbacks for this building will be as follows:

- deck: 16.7 feet
- parking lot: 10.5 feet
- building: 24.8 feet.

The PUD requires a minimum setback of 25 feet from dedicated streets.

So as to avoid any questions or any title issues in the future, the Petitioner wishes to obtain setback variances for this building which will memorialize IDOT's actions at this time.

10. That the requested major change to the planned unit development is appropriate under Section 6-4-6 of the Zoning Regulations of the Naperville Municipal Code based on the following factors:

- a. *The design of the planned unit development presents an innovative and creative approach to the development of land and living environments.*

The major change proposed by Petitioner does not alter the concept or intent of the approved planned unit development for Autumn Run. The intent of the underlying planned unit development is to create an integrated residential community. The requested variances will not affect that concept. The design of the Autumn Run Planned Unit Development is not materially altered by this variance. Therefore, this apartment complex continues to present an innovative and creative approach to land development and living environments.

- b. *The planned unit development meets the requirements and standards of the planned unit development regulations.*

The proposed major change to the planned unit development does not alter the requirements and standards of the planned unit development regulations as previously approved.

- c. *The physical design of the planned unit development efficiently utilizes the land and adequately provides for transportation and public facilities while preserving the natural features of the site.*

The proposed major change does not materially alter the physical design of the

Autumn Run Planned Unit Development. The setback is being reduced solely due to the IDOT taking. No buildings or parking lots are being modified by the Petitioner. Adequate open space is being provided.

- d. *Open space, common open space, and recreational facilities are provided.*

Even though the amount of open space is being reduced by the taking, sufficient open space is provided within the overall development.

- e. *The modifications in design standards from the Subdivision Control Regulations and the waivers in bulk regulations from the Zoning Regulations fulfill the intent of those regulations.*

The proposed variance to the setbacks is necessitated by the requirement for additional right-of-way. There will be a setback along Diehl Road sufficient to fulfill the intent of the setback requirements of the zoning regulations.

- f. *The planned unit development is compatible with the adjacent properties and nearby land uses.*

The Autumn Run PUD was approved in 1984. This apartment complex is located in an area consisting of other multi-family residential developments, office complexes, commercial uses and open space. It has been compatible with these uses for over twenty five years. The proposed variance which necessitates the major change to the Autumn Run PUD will not effect its relationship with other properties and land uses in the area.

- g. *The planned unit development fulfills the objectives of the comprehensive plan and planning policies of the city.*

The proposed major change is consistent with the City's planning documents. The existing zoning and future land use designation call for medium density residential uses for the Subject Property. The requested major change does not deviate from that designation. Therefore, it fulfills the objectives of the planning policies of the City.

11. That the requested Diehl Road setback variances are appropriate under Section 6-3-5 of the Zoning Regulations of the Naperville Municipal Code based on the following factors:

- a. *The variance is in harmony with the general purpose and intent of the Zoning Regulations.*

The purpose and intent of the setback requirements is to insure adequate separation between uses and roadways. The apartment building which is affected

by the IDOT taking requires a variance of less than 1 foot. The use of the parking lot and deck, which encroach further into the required setback, is not impacted by the reduced setback. A setback, albeit not the required minimum setback, will still be provided notwithstanding the IDOT taking. Therefore, the requested variance is in harmony with the general purpose and intent of the Zoning Regulations.

- b. *Strict enforcement of the Zoning Regulations would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district.*

This requested variance is necessitated by the IDOT taking, which is the special and unusual condition of the Subject Property. The variance is necessary in order to avoid any questions or title issues in the future.

- c. *The property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the Zoning Regulations.*

If the variance is not granted, questions and title issues may arise in the future which could affect the marketability of the Subject Property and negatively impact its financial viability.

- d. *The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.*

The Autumn Run apartment complex has been an element of this neighborhood for over twenty-five years. The entire area will be affected by the widening of Route 59. Due to minimal nature of the requested variance, it will not impact the relationship between Autumn Run and the surrounding uses. It will not alter the essential character of the neighborhood nor be a detriment to adjacent properties.

WHEREFORE, the Petitioner respectfully requests:

1. That a major change to the planned unit development for the Subject Property, legally described in **Exhibit A**, be granted pursuant to Section 6-4-6 of the Zoning Regulations of the Naperville Municipal Code.
2. That any requisite zoning and/or subdivision deviations and/or variances associated with the requested major change to the planned unit development be granted.
3. That such other action be taken as is appropriate in the premises.

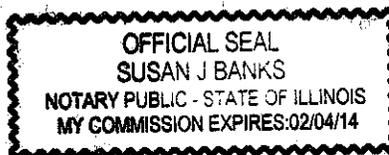
RESPECTFULLY SUBMITTED this 3rd day of February, 2012.

Autumn Run Apartments, LLC

By: Katherine C. West
Dommermuth, Brestal, Cobine & West, Ltd.
Its Attorneys

Subscribed and sworn to before me this
3rd day of February, 2012.

Susan J Banks
Notary Public



LEGAL DESCRIPTION

LOT 2 IN AUTUMN RUN, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 4 AND THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 13, 1984 AS DOCUMENT R84-100037, EXCEPTING THEREFROM THAT PART DESCRIBED AS BEGINNING AT THE NORTH-MOST NORTHWEST CORNER OF SAID LOT 2; THENCE NORTH 89 DEGREES 31 MINUTES 08 SECONDS EAST, SAID BEARING BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83 (2007), ALONG THE NORTH LINE OF SAID LOT 2 A DISTANCE OF 145.73 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 00 DEGREES 26 MINUTES 08 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 2 A DISTANCE OF 24.95 FEET; THENCE SOUTH 89 DEGREES 15 MINUTES 42 SECONDS WEST 145.29 FEET TO THE WEST LINE OF SAID LOT 2; THENCE NORTH 00 DEGREES 33 MINUTES 53 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 2 A DISTANCE OF 25.60 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

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PART OF THE SE 1/4 SECTION 4 & NE 1/4 SECTION 9, T38N, R9E OF THE 3rd PM, NAPERVILLE TOWNSHIP, DUPAGE COUNTY, ILLINOIS.

PARCEL NUMBER	OWNER	TOTAL HOLDING ACRES	PART TAKEN ACRES	REMAINDER ACRES	PREV. DEED ACRES	EASEMENT ACRES	EASEMENT PURPOSE	PERMANENT TAX MAP NUMBER	PROPERTY ACQUIRED BY
1H40143	AUTUMN RUN APARTMENTS, L.L.C. OF ILLINOIS LOCAL LIABILITY COMPANY	7.824	0.084	7.740				07-09-222-007	
1H40148	CHRISTOPHER A. BROWN	0.428	0.083					07-04-422-003	
1H40154	ACIL SERVICE CORPORATION	3.803	0.154	3.741				07-04-401-043	

NO.	STATION	CHISEL	COORDINATE TABLE	
			NORTH	EAST
5183	3+24.13	70.00	189424.6551	18139.2042
5184	1+22.18	85.00	189424.6541	18139.1947
5185	0+24.58	85.00	189418.0477	18138.0307
5186	0+24.58	50.00	189252.9174	18130.3040
5187	0+24.58	70.00	189444.8485	18137.7425
5188	0+24.58	85.00	189410.7011	18130.4277
5189	0+24.58	85.00	189407.7781	18130.4307
5190	0+24.58	85.00	189407.7781	18130.4307
5191	0+24.58	85.00	189407.7781	18130.4307
5192	0+24.58	85.00	189407.7781	18130.4307
5193	0+24.58	85.00	189407.7781	18130.4307
5194	0+24.58	85.00	189407.7781	18130.4307
5195	0+24.58	85.00	189407.7781	18130.4307

LEGEND

SECTION CORNER
QUARTER SECTION CORNER

SECTION LINE
QUARTER SECTION LINE
QUARTER QUARTER SECTION LINE
PLATTED LOT LINE
PROPERTY CEDED LINE

APL APPARENT PROPERTY LINE
CENTERLINE
EXISTING RIGHT OF WAY LINE
PROPOSED RIGHT OF WAY LINE
PROPOSED EASEMENT
EXISTING ACCESS CONTROL LINE
PROPOSED ACCESS CONTROL LINE
RECORD DATA

EXISTING BUILDING
CHAIN LINK FENCE
WOOD FENCE
FENCE LINE

IRON PIPE OR ROD FOUND
CUT CROSS-FOUND OR SET

TI THESE STAKES REFERENCE FOUND OR SET MONUMENTATION.
T2 SET 5/8" HIGH REBAR FLUSH WITH GROUND TO THE FOUND IRON STAKE IDENTIFIED BY COLORED PLASTIC CAP AND BEARING SURVEYORS PROFESSIONAL NUMBER.
BTI THESE STAKES, IN CULTIVATED AREAS, REFERENCE FOUND OR SET MONUMENTATION.
BT2 BURIED 6" HIGH REBAR 20 INCHES BELOW GROUND TO THE FOUND IRON STAKE.
BT3 IDENTIFIED BY COLORED PLASTIC CAP BEARING SURVEYORS PROFESSIONAL NUMBER.

STAKES OF PROPOSED RIGHT OF WAY.
SET DIVISION OF HIGHWAYS SURVEY MARKER TO MONUMENT THE POSITION SHOWN, IDENTIFIED BY INSCRIPTION DATA AND SURVEYORS PROFESSIONAL NUMBER.

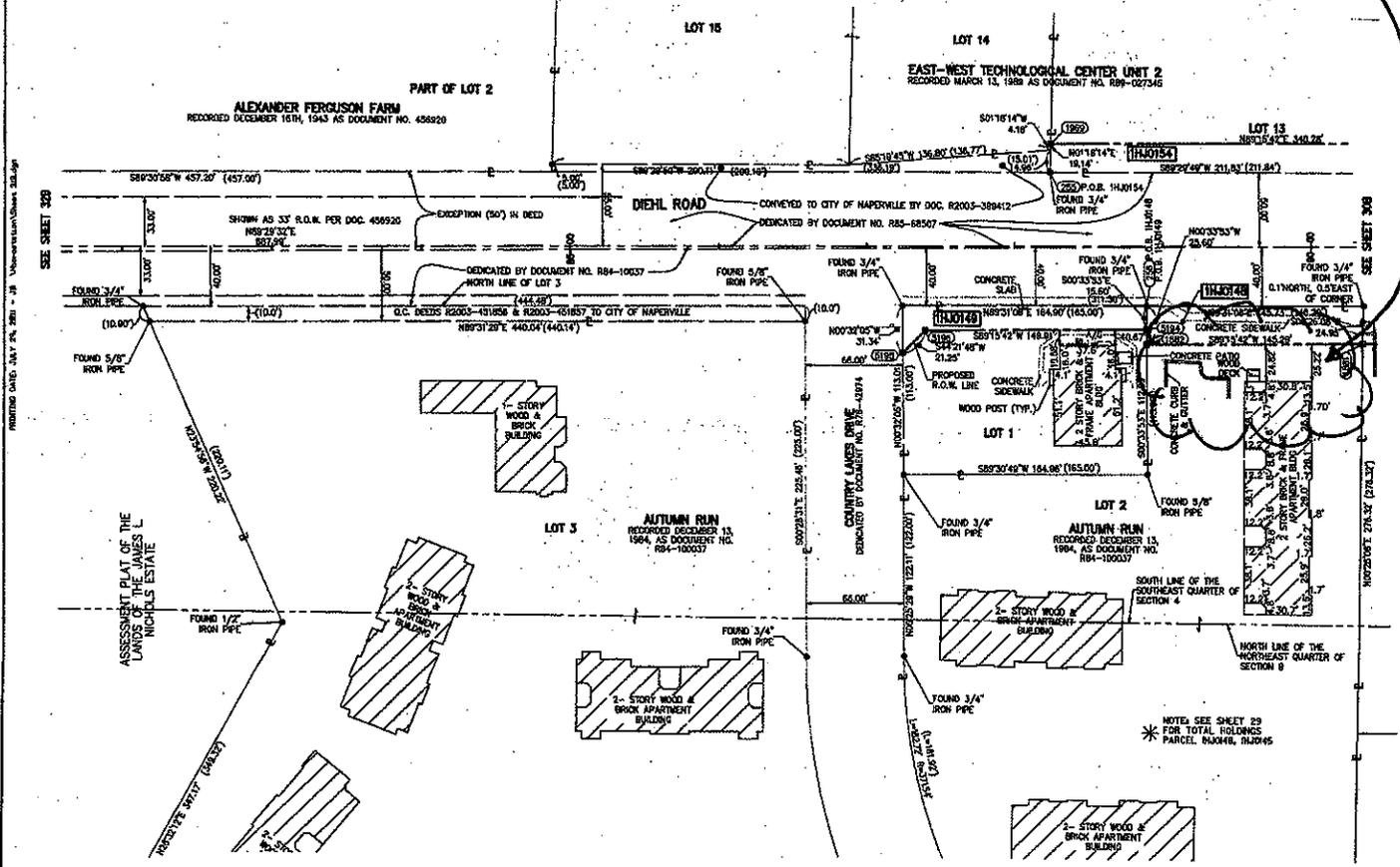
STAKES OF PROPOSED RIGHT OF WAY IN CULTIVATED AREAS.
BURIED 5/8" HIGH REBAR 20 INCHES BELOW GROUND TO MARK FUTURE SURVEY MARKER POSITION, IDENTIFIED BY COLORED PLASTIC CAP BEARING SURVEYORS PROFESSIONAL NUMBER.

PERMANENT SURVEY MARKER, DOT STD. 2155 (TO BE SET BY OTHERS)
RIGHT OF WAY STAKING PROPOSED TO BE SET.

STATE OF ILLINOIS
COUNTY OF DUPAGE

THIS IS TO CERTIFY THAT WE, MOWEST TECHNICAL CONSULTANTS, INC., AN ILLINOIS PROFESSIONAL DESIGN FIRM NUMBER 04-00291, HAVE SURVEYED THE PLAT OF HIGHWAYS SHOWN HEREON BETWEEN SECTION 4, TOWNSHIP 38 NORTH, RANGE 9 EAST, AND SECTION 9, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS. THAT THE SURVEY IS TRUE AND CORRECT AS SHOWN TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE PLAT CORRECTLY REPRESENTS SAID SURVEY, THAT ALL MONUMENTS FOUND AND ESTABLISHED ARE OF PERMANENT QUALITY AND OCCUPY THE POSITIONS SHOWN THEREON AND THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. THE SURVEY CONFORMS TO THE CURRENT ILLINOIS MEASUREMENT STANDARDS FOR A BOUNDARY SURVEY, MADE FOR THE DEPARTMENT OF TRANSPORTATION, STATE OF ILLINOIS, DATED AT NAPERVILLE, ILLINOIS THIS ____ DAY OF _____, 2011 A.D.

**SUBJECT BUILDING/
PARKING LOT/DECK**



- IRON PIPE OR ROD FOUND
- CUT CROSS-FOUND OR SET
- TI THESE STAKES REFERENCE FOUND OR SET MONUMENTATION.
- T2 SET 5/8" HIGH REBAR FLUSH WITH GROUND TO THE FOUND IRON STAKE IDENTIFIED BY COLORED PLASTIC CAP AND BEARING SURVEYORS PROFESSIONAL NUMBER.
- BTI THESE STAKES, IN CULTIVATED AREAS, REFERENCE FOUND OR SET MONUMENTATION.
- BT2 BURIED 6" HIGH REBAR 20 INCHES BELOW GROUND TO THE FOUND IRON STAKE.
- BT3 IDENTIFIED BY COLORED PLASTIC CAP BEARING SURVEYORS PROFESSIONAL NUMBER.
- STAKES OF PROPOSED RIGHT OF WAY.
- SET DIVISION OF HIGHWAYS SURVEY MARKER TO MONUMENT THE POSITION SHOWN, IDENTIFIED BY INSCRIPTION DATA AND SURVEYORS PROFESSIONAL NUMBER.
- STAKES OF PROPOSED RIGHT OF WAY IN CULTIVATED AREAS.
- BURIED 5/8" HIGH REBAR 20 INCHES BELOW GROUND TO MARK FUTURE SURVEY MARKER POSITION, IDENTIFIED BY COLORED PLASTIC CAP BEARING SURVEYORS PROFESSIONAL NUMBER.
- PERMANENT SURVEY MARKER, DOT STD. 2155 (TO BE SET BY OTHERS)
- RIGHT OF WAY STAKING PROPOSED TO BE SET.

STATE OF ILLINOIS
COUNTY OF DUPAGE

THIS IS TO CERTIFY THAT WE, MOWEST TECHNICAL CONSULTANTS, INC., AN ILLINOIS PROFESSIONAL DESIGN FIRM NUMBER 04-00291, HAVE SURVEYED THE PLAT OF HIGHWAYS SHOWN HEREON BETWEEN SECTION 4, TOWNSHIP 38 NORTH, RANGE 9 EAST, AND SECTION 9, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS. THAT THE SURVEY IS TRUE AND CORRECT AS SHOWN TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE PLAT CORRECTLY REPRESENTS SAID SURVEY, THAT ALL MONUMENTS FOUND AND ESTABLISHED ARE OF PERMANENT QUALITY AND OCCUPY THE POSITIONS SHOWN THEREON AND THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. THE SURVEY CONFORMS TO THE CURRENT ILLINOIS MEASUREMENT STANDARDS FOR A BOUNDARY SURVEY, MADE FOR THE DEPARTMENT OF TRANSPORTATION, STATE OF ILLINOIS, DATED AT NAPERVILLE, ILLINOIS THIS ____ DAY OF _____, 2011 A.D.

RUSSELL W. OLSEN
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-002718
LICENSE EXPIRES NOVEMBER 30, 2009
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

Mowest Technical Consultants, Inc.
400 S. MALL STREET, SUITE 1
NAPERVILLE, ILLINOIS 60563
630.500-4300

- NOTES:
- 1) ALL COORDINATES SHOWN HEREON ARE PROJECT. ALL DISTANCES SHOWN HEREON ARE GROUND.
 - 2) BEARINGS SHOWN HEREON ARE BASED ON ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE, MAD 83, (2007).
 - 3) THE COMBINATION FACTOR USED FOR THIS PROJECT = 0.99994777.
 - 4) COORDINATE CONVERSION

- NAD83 (2007) STATE PLANE COORDINATES TO PROJECT COORDINATES:
- A) SUBTRACT THE STATE PLANE NAD83 GRID COORDINATES BY THE COMBINATION FACTOR.
 - B) SUBTRACT 1,000,000.00 FROM THESE NORTHINGS AND EASTINGS.
- PROJECT COORDINATES TO NAD83 (2007) STATE PLANE COORDINATES:
- A) ADD 1,000,000.00 TO THE PROJECT NORTHINGS AND EASTINGS.
 - B) MULTIPLY THESE COORDINATES BY THE COMBINATION FACTOR.
- 5) THE NGS MONUMENT HELD FOR THIS PROJECT IS ITS FIRST ORDER P.L.D. 443730.

RECEIVED
JUL 20 2011
PLATS & LEGALS

NAD83 (2007) S.P.
N. 1,899,327,5048
E. 1,023,802,1293

PROJECT COORDINATES
N. 883,424,1449
E. 23,455,9948

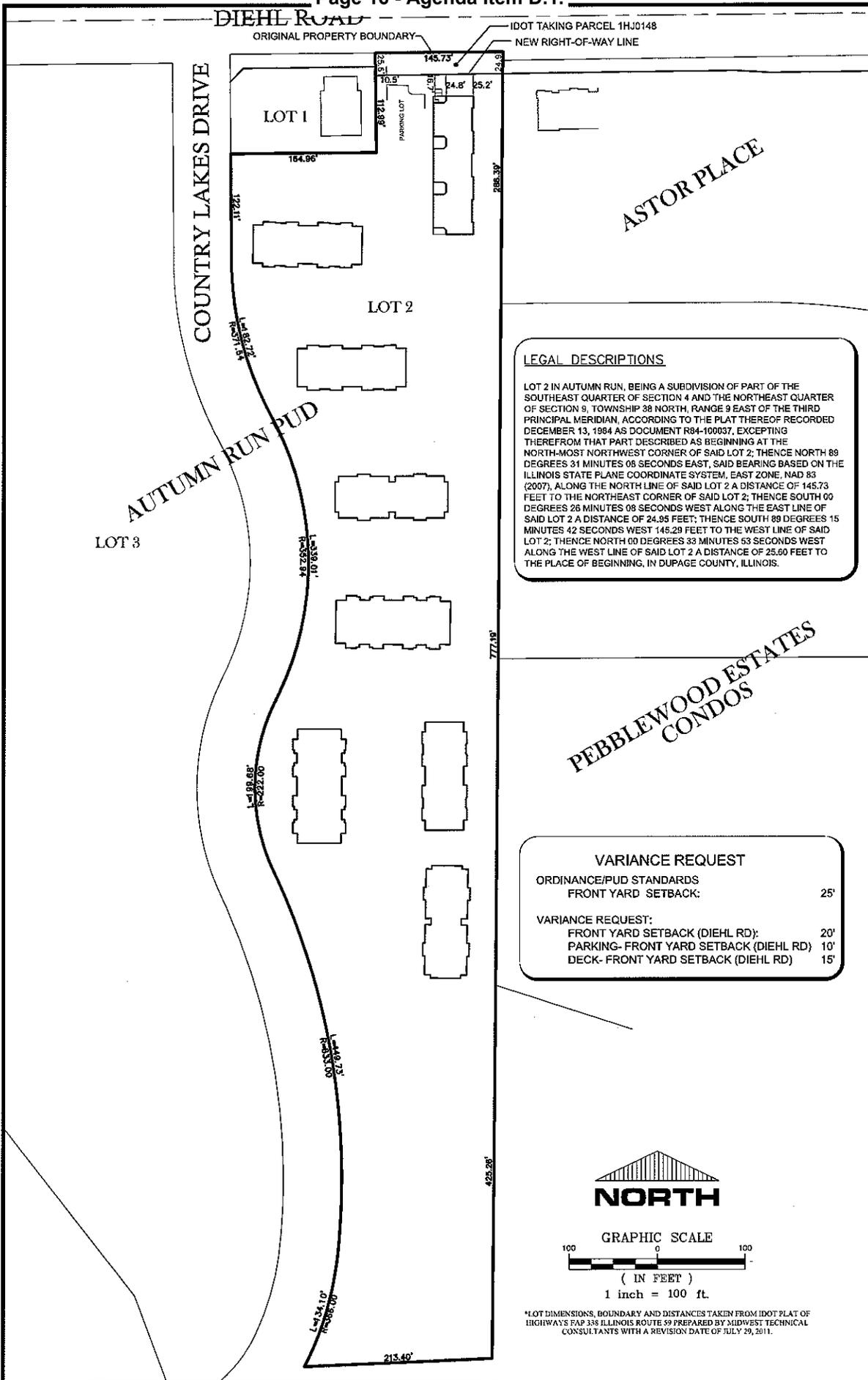
PLAT OF HIGHWAYS
STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION
F.A.P. 338 ILLINOIS ROUTE 59
SECTION FERRY RD. TO AURORA AVE. DUPAGE COUNTY
PROJECT ROUTE 59 JOB NO. R-91-035-09
STATION 84+50 TO STATION 90+30
SCALE: 1" = 40'
SHEET 316 OF 47

BUREAU OF LAND ACQUISITION
201 WEST COURT
SCHAMBERG, ILLINOIS 60196-1086

F.A.P. 338 ILLINOIS ROUTE 59, SECTION FERRY RD. TO AURORA AVE., JOB. NO. R-91-035-09.

REVISION DATE: JULY 24, 2011
REVISION: DELETE H41815, H41816
REVISION DATE: JULY 6, 2011
REVISION: REVISE H41815, H41816
REVISION: REMOVE H41815, REVISE H41816, H41814

MADE BY: JB



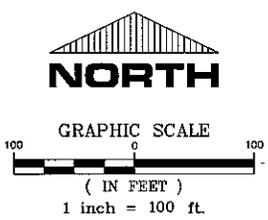
LEGAL DESCRIPTIONS

LOT 2 IN AUTUMN RUN, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 4 AND THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 13, 1984 AS DOCUMENT R84-100037, EXCEPTING THEREFROM THAT PART DESCRIBED AS BEGINNING AT THE NORTH-MOST NORTHWEST CORNER OF SAID LOT 2; THENCE NORTH 89 DEGREES 31 MINUTES 08 SECONDS EAST, SAID BEARING BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83 (2007), ALONG THE NORTH LINE OF SAID LOT 2 A DISTANCE OF 145.73 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 00 DEGREES 26 MINUTES 08 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 2 A DISTANCE OF 24.95 FEET; THENCE SOUTH 89 DEGREES 15 MINUTES 42 SECONDS WEST 145.29 FEET TO THE WEST LINE OF SAID LOT 2; THENCE NORTH 00 DEGREES 33 MINUTES 53 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 2 A DISTANCE OF 25.50 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

VARIANCE REQUEST

ORDINANCE/PUD STANDARDS
FRONT YARD SETBACK: 25'

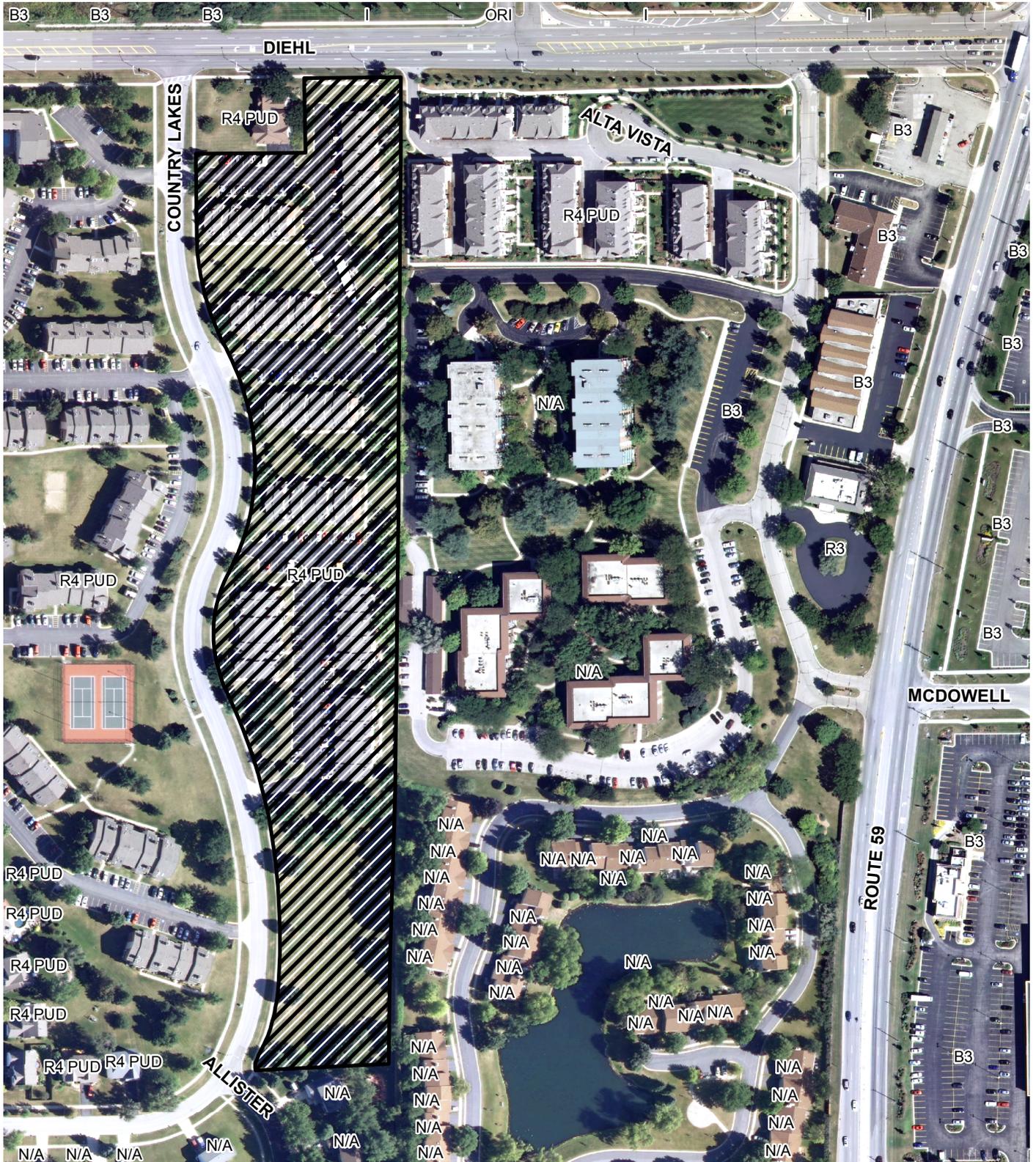
VARIANCE REQUEST:
FRONT YARD SETBACK (DIEHL RD): 20'
PARKING- FRONT YARD SETBACK (DIEHL RD) 10'
DECK- FRONT YARD SETBACK (DIEHL RD) 15'



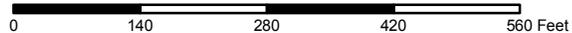
*LOT DIMENSIONS, BOUNDARY AND DISTANCES TAKEN FROM IDOT PLAT OF HIGHWAYS RAP 338 ILLINOIS ROUTE 59 PREPARED BY MIDWEST TECHNICAL CONSULTANTS WITH A REVISION DATE OF JULY 29, 2011.

N:\Tech\2011\1232\Exhibits\E01-Zoning Exhibit.dwg, Layout1, 12/28/2011 9:20:13 AM, mdaahm

City of Naperville Autumn Run



Transportation, Engineering and
Development Business Group
www.naperville.il.us
February 2012



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Naperville

PLANNING AND ZONING COMMISSION AGENDA ITEM

PCZ CASE: 12-1-014 **AGENDA DATE:** 3/7/2012
SUBJECT: 1116 Catherine Avenue
 Petitioner: Chris and Sara Connelly, 5S634 Columbia Street, Naperville,
 IL 60563

LOCATION: 1116 Catherine Avenue

Correspondence New Business Old Business Public Hearing

SYNOPSIS:

The petitioner requests approval of a variance from Section 6-6A-7 (R1A Low Density Single-family Residence District: Yard Requirements) of the Municipal Code to allow construction of a garage addition that encroaches 5.5’ into the 30’ corner side yard setback.

PLANNING AND ZONING COMMISSION ACTION PREVIOUSLY TAKEN:

Date	Item No.	Action
N/A	N/A	N/A

ACTION REQUESTED/RECOMMENDED THIS MEETING:

Conduct the public hearing.

PREPARED BY: Ying Liu, AICP, Planning Services Team

EXISTING ZONING, LAND USE, AND LOCATION:

The subject property, comprised of 9,664 square feet, is located at the southwest corner of Catherine Avenue and George Lane, at 1116 Catherine Avenue. The property is zoned R1A (Low Density Single-family Residence District) and is presently improved with a single family home. The current owner of the property is RDG Fund, LLC, 150 N. Wacker Drive, Suite 650, Chicago, IL 60606.

RELATIONSHIP TO THE OFFICIAL PLAN OF THE CITY OF NAPERVILLE:

The East Sector Update to the Comprehensive Master Plan identifies the future use of the property as “Low Density Residential”.

PLANNING SERVICES TEAM REVIEW:

The existing single-family structure on the subject property was the subject of a recent renovation and expansion. The older part of the home currently encroaches 13’ into the 30’ required corner side yard setback at the greatest point, while the home addition including the attached garage is situated approximately 30’ from corner side lot line in compliance with the

1116 Catherine Avenue – PC 12-1-014

March 7, 2012

Page 2 of 2

setback requirement. The petitioner intends to construct an extension to the garage in order to accommodate storage of a personal boat inside the garage. The existing garage is not large enough to store her boat. A variance from Section 6-6A-7 (R1A Low Density Single-family Residence District: Yard Requirements) is being requested to allow the garage extension to encroach 5.5' into the 30' required corner side yard setback.

The petitioner is requesting the setback variance in order to accommodate storage of a boat inside the garage. If the variance is not approved, the petitioner would be required to park the boat in the rear or interior side yard on an approved hard surface subject to the screening requirements of Section 6-2-7:2. The proposed 5.5' encroachment of the garage into the corner side yard would not expand the overall nonconforming condition of the home, as it is less than the existing 13' encroachment of the original house. If granted, the setback variance would not alter the essential character of the neighborhood or be a detriment to the adjacent properties. Further, it would allow for full screening of the boat while maintaining open space in the interior and rear yards. Staff concurs with the petitioner that the requested variance meets the standards for granting a zoning variance as defined in Section 6-5:2 (Standards for Variances) of the Municipal Code.

ACTION REQUESTED:

Conduct the public hearing.

ATTACHMENTS:

1. 1116 Catherine Avenue – Application – PC 12-1-014
2. 1116 Catherine Avenue – Legal Description – PC 12-1-014
3. 1116 Catherine Avenue – Location Map – PC 12-01-014
4. 1116 Catherine Avenue – Site Plan – PC 12-1-014
5. 1116 Catherine Avenue – Photo – PC 12-1-014

CITY OF NAPERVILLE APPLICATION FOR A ZONING VARIANCE

ADDRESS OF SUBJECT PROPERTY: 1116 CATHERINE AVE. 60540

PARCEL IDENTIFICATION NUMBER (PIN) 08.17.305.004

APPLICANT'S NAME: SARA CONNELLY

APPLICANT'S ADDRESS: 55634 COLUMBIA ST.

CITY: NAPERVILLE STATE: IL ZIP CODE: 60563

APPLICANT'S DAYTIME PHONE: 773.858.2829

E-MAIL ADDRESS: Sara.meilinger@ardenrealty.com

OWNER OF PROPERTY: RDG FUND, LLC

OWNER'S ADDRESS: 150 N. WACKER, SUITE 650

CITY: CHICAGO STATE: IL ZIP CODE: 60606

OWNER'S DAYTIME PHONE: 312.436.0836

ZONING OF PROPERTY: R1A SINGLE FAMILY

AREA OF PROPERTY (Acres or sq ft): 4,113 SF

List Improvements on property (buildings, fences, pools, decks, etc.)

SINGLE FAMILY HOME

DETAILED DESCRIPTION OF VARIANCE (include relevant Section numbers of Municipal Code; attached additional pages if needed):

VARIANCE TO SOUTH EAST CORNER OF HOUSE TO ENCRDACH
ON 30' SETBACK BY 5'00". ORIGINAL HOME ENCRDACHED
ON BUILDING SETBACK LINE BY APPROXIMATELY 14'00

EXHIBIT A

The above information, to the best of my knowledge, is true and accurate:

Maas Connelly 1/30/12
(signature of applicant) (date)

SUBSCRIBED AND SWORN TO before me this 30th day of January, 2012

Lauren Minger
(Notary Public and Seal)



EXHIBIT A

STANDARDS FOR A ZONING VARIANCE

A zoning variance can only be granted if there are specific, land-related hardships or practical difficulties in carrying out the requirements of the ordinance for a particular piece of property. Self-inflicted hardships or increased profit or property value are not sufficient justifications to warrant a variance.

The recommendations prepared by staff and the Planning and Zoning Commission are prepared based upon the following standards, which are contained in Section 6-3-5 of the Naperville Municipal Code. *You should review the standards and, if necessary, prepare written findings or other evidence to support your request.*

1. The variance is in harmony with the general purpose and intent of this Title; and
2. Strict enforcement of this Title would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district; and
3. The property cannot yield a reasonable return if permitted to be used only under the conditions allowed by this Title; and
4. The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.

I have reviewed the Standards for a Zoning Variance and understand and acknowledge that my request will be considered based upon the extent to which it fulfills these standards. Further, I understand and acknowledge that I may be required to provide a written explanation detailing how my request fulfills these standards.

Jacob Connelly

(signature of applicant)

1/30/12

(date)

SUBSCRIBED AND SWORN TO before me this 30th day of January, 2012

Lauren Minger

(Notary Public and Seal)
 Lauren Minger
 Notary Public, State of Illinois
 DuPage County
 My Commission Expires 02-08-2015

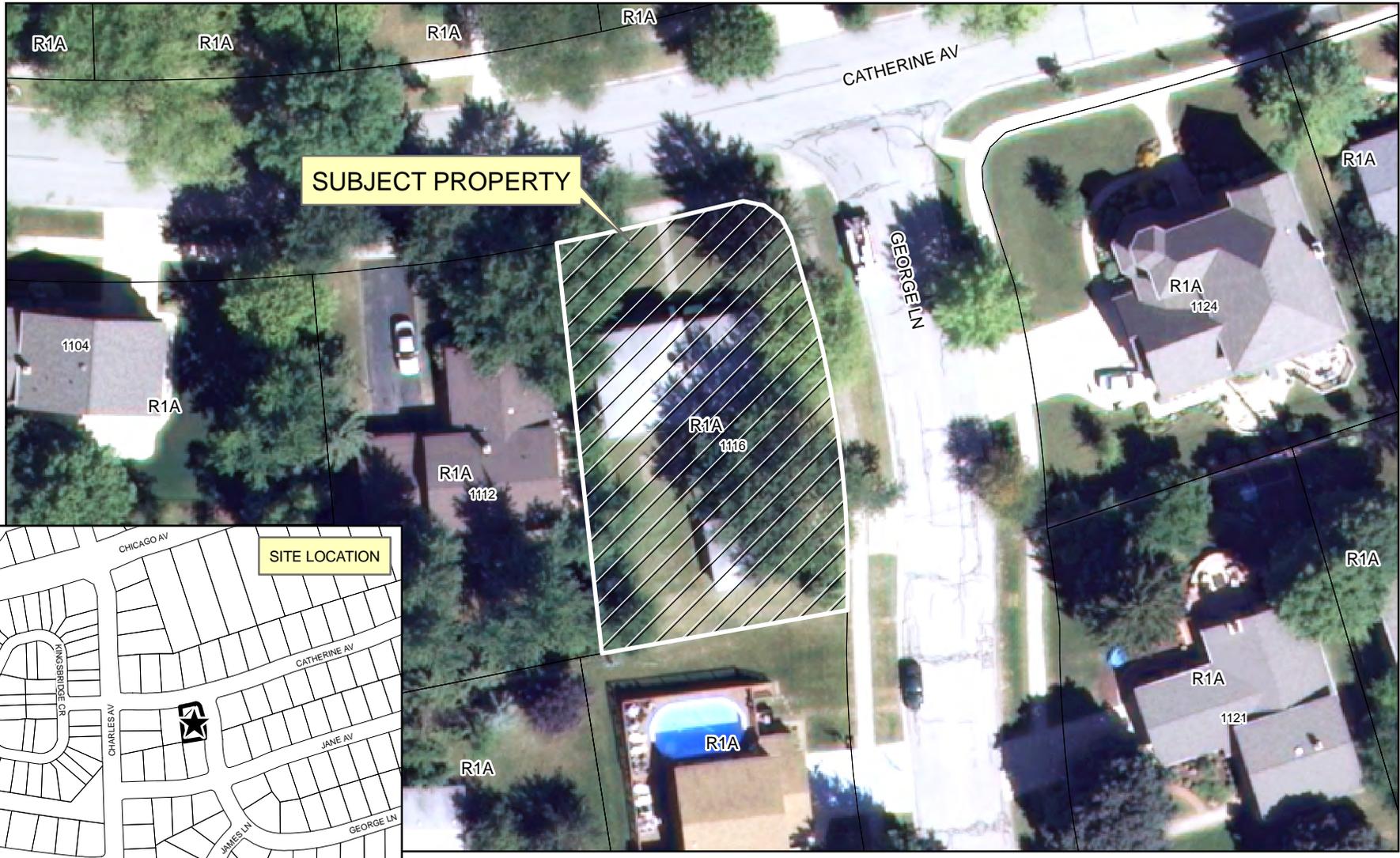
LEGAL DESCRIPTION

LOT 1 IN BLOCK 3 IN KING'S TERRACE UNIT NO. 1, BEING A SUBDIVISION OF PART OF SECTIONS 17 AND 18, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 9, 1960 AS DOCUMENT NO. 964159 AND CERTIFICATE OF CORRECTION RECORDED JULY 7 AS DOCUMENT NO. 971126 IN DUPAGE COUNTY, ILLINOIS.

ADDRESS: 1116 CATHERINE AVENUE, NAPERVILLE, IL 60540

PIN NUMBER: 08-17-305-004

City of Naperville
1116 CATHERINE AVENUE



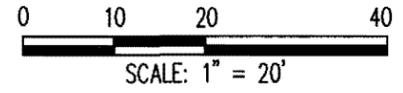
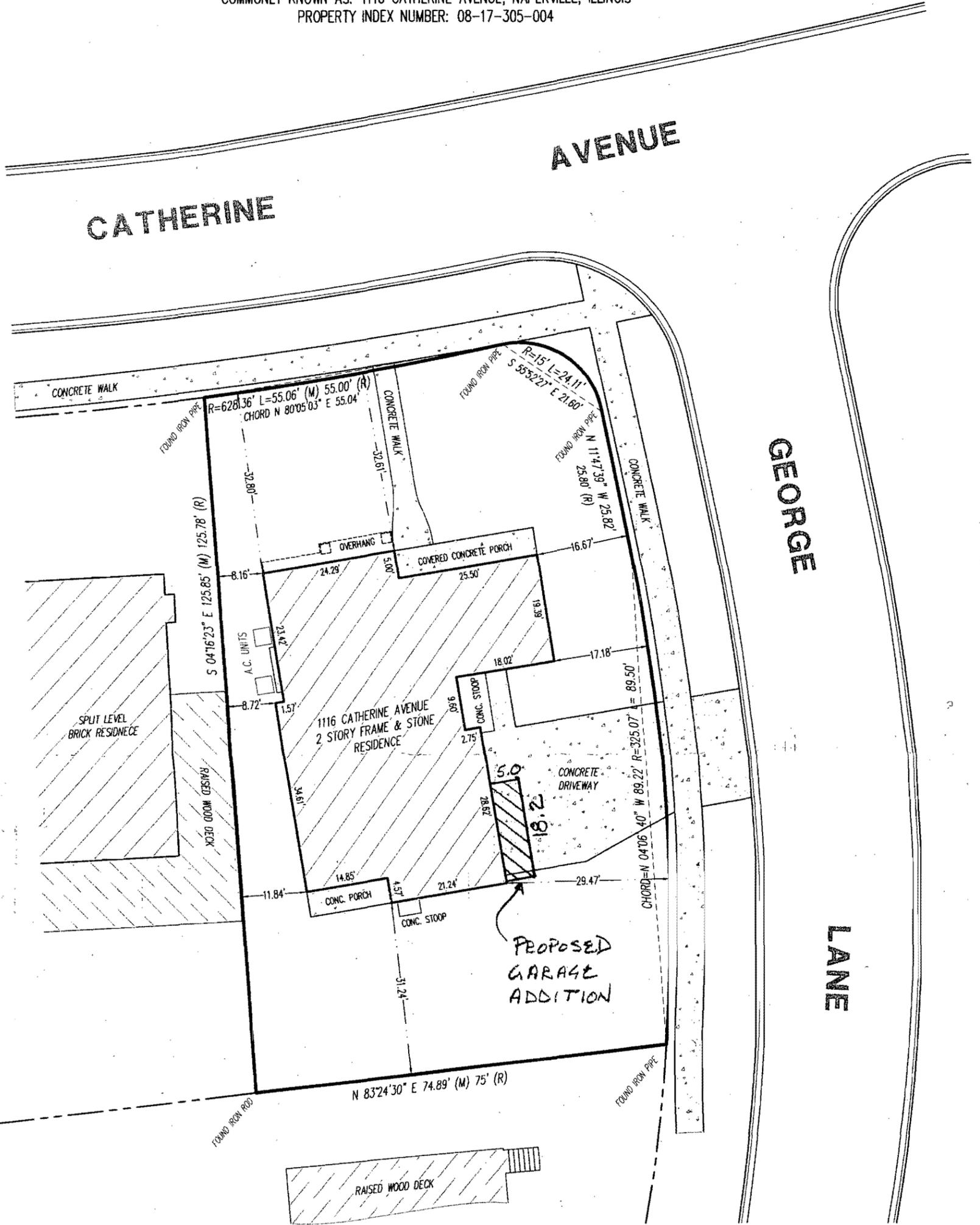
Transportation, Engineering and
Development Business Group
Questions Contact (630) 420-6719
www.naperville.il.us
February 2012



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PLAT OF SURVEY

LOT 1 IN BLOCK 3 IN KING'S TERRACE UNIT NO. 1, BEING A SUBDIVISION OF PART OF SECTIONS 17 AND 18, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 9, 1960 AS DOCUMENT NO. 964159 AND CERTIFICATE OF CORRECTION RECORDED JULY 7 AS DOCUMENT NO. 971126 IN DUPAGE COUNTY, ILLINOIS. COMMONLY KNOWN AS: 1116 CATHERINE AVENUE, NAPERVILLE, ILLINOIS PROPERTY INDEX NUMBER: 08-17-305-004



STATE OF ILLINOIS)
COUNTY OF McHENRY) S.S.

I, JAMES E. SCHROEDER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. DIMENSION ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

James E. Schroeder

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3287 JANUARY 20, 2012



SCHROEDER & ASSOCIATES
 1000 OAK VALLEY DRIVE - CARY, ILLINOIS 60013
 TEL. 847-639-1415 FAX 847-516-5747 CELL 847-650-1416
 CLIENT: RESIDENTIAL DYNAMICS GROUP FIELD WORK COMPLETED: 1/19/12
 IOD NO. 1126 DATE: JANUARY 20, 2012





Naperville

PLANNING AND ZONING COMMISSION AGENDA ITEM

PC CASE: 12-1-004 **AGENDA DATE:** 3/6/2012
SUBJECT: Kittilsen Estates – Rezoning to R1A (Low Density Residential), Preliminary/Final Plat of Subdivision, and a Conditional Use for Solar Renewable Energy Systems.
Petitioner: Dan, Kim, Kevin, and Kelsie Kittilsen

LOCATION: 27 W 371 Knoch Knolls Road

Correspondence New Business Old Business Public Hearing

SYNOPSIS:

The petitioner requests rezoning to R1A (Low Density Single-Family Residence District) upon annexation, approval of a Preliminary/Final Subdivision Plat for Kittilsen Estates, and a conditional use for solar renewable energy systems in accordance with Section 6-15 of the Municipal Code.

ACTION REQUESTED/RECOMMENDED THIS MEETING:

Conduct the public hearing.

PREPARED BY: Allison Laff, AICP, Planning Team Operations Manager

EXISTING ZONING, LAND USE, AND LOCATION:

The subject property includes 3 acres located on the south side of Knoch Knolls Road, between Seiler Court and Bluestem Court, commonly known as 27 W 371 Knoch Knolls Road. The subject property is currently zoned A1 (Agricultural District) in Will County. The site is improved with a single family home, barn, shed and horse stable.

RELATIONSHIP TO OFFICIAL PLAN OF THE CITY OF NAPERVILLE:

The East Sector Plan designates the future land use of the subject property as “Low Density Residential”. The proposed use of the subject property is consistent with this future land use designation.

PLANNING SERVICES TEAM REVIEW:

Rezoning & Subdivision

The petitioner is seeking rezoning to R1A (Low Density Single-Family Residential District) upon annexation. The property is contiguous to the City of Naperville on the southeast, south, and west sides of the property and is therefore eligible for annexation. The requested R1A zoning is consistent with the recommended future land use of the subject property.

Kittilsen Estates (PZC 12-1-004)

March 7, 2012

Page 2 of 2

The proposed Preliminary/Final Subdivision Plat for Kittilsen Estates will subdivide the subject property into 3 lots (Lot 1 and 2 – 16,150 square feet each; Lot 3 – 89,181 square feet) which meet the minimum lot size and lot width requirements of the R1A district. While the resulting flag lot configuration of Lot 3 is not typically preferred by the City, staff supports it for this particular property given (1) the large size of Lot 3 (over 2 acres) and (2) the petitioner's agreement to restrict any further subdivision of this property. The petitioner has additionally submitted a tree preservation plan which will result in the preservation of most of the existing matures on the subject property (only 3 trees are proposed for removal).

Conditional Use

The petitioner is seeking approval of a conditional use in accordance with Section 6-15 (Small Wind and Solar Renewable Energy Systems) in order to install solar panels which extend approximately four inches (4") above the roofline of the proposed homes to be constructed at the subject property; the proposed solar panels will not exceed the peak roof height. The petitioner intends to use solar power to make the proposed homes as energy efficient as possible or "net zero". Section 6-15-5 (Solar Energy Systems) indicates that "building integrated" solar systems can be approved administratively; however, because the proposed solar panels have a slight projection, they are considered "building mounted" and therefore require approval of a conditional use. Upon review of the proposed solar panels, staff finds that they will not provide an aesthetic disruption because they do not tilt, will have a minimal projection above the roofline, and will be have minimal visibility from surrounding residences given their placement of the south side of the proposed homes.

Horse/Stable Uses (City Council consideration only)

The existing property is currently improved with a large stable and riding arena at the rear of the property. The petitioner proposes to allow the former owner (Ken Stien, Homestead and Plantation Equestrian Center) to lease and continue to operate the current uses on the property until August 2013. Staff does not have any concerns regarding the temporary continuance of the existing uses based on their current operations. However, as the existing uses are not permitted on the property once it is rezoned to R1A, staff will process a temporary use (to be considered by City Council) to allow the continuation of these uses through August 2013. In conjunction with the temporary use, staff will attach performance standards (noise, odor, etc.) to ensure that the use continues to operate in an appropriate manner in the interim. Upon expiration of the temporary use, the petitioner will demolish the existing structures on the property and the site will conform to the underlying R1A zoning requirements.

ATTACHMENTS:

1. Kittilsen Estates – Application – PZC 12-1-004
2. Kittilsen Estates – Location Map Aerial – PZC 12-1-004
3. Kittilsen Estates – Preliminary/Final Subdivision Plat – PZC 12-1-0004
4. Kittilsen Estates – Tree Preservation Plan – PZC 12-1-004
5. Kittilsen Estates – Petition for Conditional Use – PZC 12-1-004
6. Kittilsen Estates – Renewable Energy System Information – PZC 12-1-004

**CITY OF NAPERVILLE
TRANSPORTATION, ENGINEERING AND DEVELOPMENT BUSINESS GROUP
APPLICATION FOR DEVELOPMENT APPROVAL**

DEVELOPMENT NAME: Kittilsen Estates
Address: 27 W 371 Knoch Knolls Road, Naperville, Illinois
Date of Submission: January 10, 2011

I. APPLICANT/PETITIONER:

Name: Dan Kittilsen, Kim Kittilsen, Kevin Kittilsen, Kelsie Kittilsen
Address: 2707 San Luis Court, Naperville, Illinois 60565
Telephone Number: (630) 774-8430
Contact Person: Dan Kittilsen, Owner
Relationship of Applicant to Subject Property: Owners

II. OWNER OF THE PROPERTY:

Name: Dan Kittilsen, Kim Kittilsen, Kevin Kittilsen, Kelsie Kittilsen
Address: 2707 San Luis Court, Naperville, Illinois 60565
Telephone Number: (630) 774-8430

III. APPLICANT'S/PETITIONER'S STAFF:

Attorney: Dommermuth, Brestal, Cobine & West, Ltd.
Address: 123 Water Street
Naperville, Illinois 60540
Telephone No. 630/355-5800
Fax Number: 630-355-5976
E-Mail: pab@dbcw.com

Engineer: Roake & Associates
Address: 1684 Quincy Ave., Suite 100A
Naperville, Illinois 60540
Telephone No: 630/355-3232
Fax Number: 630-355-3267
E-Mail: jcaneff@roake.com

Contractor: DJK, Inc.
Address: 2707 San Luis Court
Naperville, Illinois 60565
Telephone: (630) 369-1953
Fax: (630) 369-2766
E-Mail: dan@godjk.com

IV. ACTION REQUESTED:

- | | |
|---------------------------------------------------------------------|---------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Annexation | <input checked="" type="checkbox"/> Rezoning from A-1 to R1A |
| <input checked="" type="checkbox"/> Conditional Use | <input type="checkbox"/> Site Plan Review |
| <input type="checkbox"/> Preliminary PUD Plat | <input type="checkbox"/> Final PUD Plat |
| <input type="checkbox"/> Major Change to a Conditional Use | <input type="checkbox"/> Minor Change to a Conditional Use |
| <input type="checkbox"/> Major Change to a Planned Unit Development | <input type="checkbox"/> Minor Change to a Planned Unit Development |
| <input checked="" type="checkbox"/> Preliminary Plat of Subdivision | <input checked="" type="checkbox"/> Final Plat of Subdivision |
| <input type="checkbox"/> Subdivision Waivers | <input type="checkbox"/> Zoning Variance |

V. ANNEXATION

Is this development within City limits?

- Yes.
- Under review by another governmental agency and requires review due to 1.5 mile jurisdictional requirements.
- No, ***requesting annexation.***
- Are there electors living on the property?
- Yes No
- If yes, did they sign the Petition for Annexation?
- Yes No

VI. SITE DATA:

1. General Description of the Site Conditions: The property consists of a 3 acre parcel located on the South side of Knoch Knolls Road, North of 95th Street, between Seiler Court and Bluestem Court commonly known as 27 W 371 Knoch Knolls Road, Naperville, Illinois, and is improved with a single-family residence, a barn, a shed and a horse stable. There are a number of mature trees on the property.
2. Existing Utility Services (water, sewer, electricity): Sanitary sewer is at the property line, water has to be run across the street and looped, electric facilities are nearby and sized appropriately to accommodate the project. The existing well and septic will be terminated per Will County Health Department requirements.
3. Existing Zoning on the Site: A-1 (Agriculture District, Will County)
4. Existing Land Use: Homestead and Plantation Equestrian Center including stables and riding arenas.

5. Acreage of Site: 3 acres
6. List Controlling Ordinances and agreements: None. The property is in Will County.

	ZONING	JURISDICTION	EXISTING LAND USE	ADOPTED CITY PLAN
North	R-2A R1A	Will County City of Naperville	Single Family Residential Single-Family Residential	Low Density Residential
South	R1A	City of Naperville	Single-Family Residential	Low Density Residential
East	R1A	City of Naperville	Single-Family Residential	Low Density Residential
West	R1A	City of Naperville	Single-Family Residential	Low Density Residential

VII. PROPOSED DEVELOPMENT:

1. Type of Development:

Residential ___ Commercial ___ Office
 ___ Industrial ___ Other:

2. Proposed Zoning: R1A (Low Density Single-Family Residence District)

Description of Proposal: The Petitioners are proposing to annex the 3 acre property to the City of Naperville and zone it R1A. The Petitioners agreed when they purchased the property in 2010 to allow the former owner, Ken Stien, to lease and occupy the property and use it as his homestead and as an equestrian center for 3 years, until August of 2013. When Stien vacates the property, the Petitioners will demolish the existing structures on the property. Petitioners are requesting preliminary and final subdivision plat approval to subdivide the 3-acre Subject Property into three lots: two lots of equal size being 95' by 170' and the third lot being 2¼ acres. Initially, the western-most small lot and the rear lot will be improved with single family residences that are very energy efficient (net zero). To that end, Petitioners are requesting a conditional use permit for small solar and wind renewable energy systems. Petitioners are also requesting to be allowed to bring and stable a maximum of two horses at any one time onto the larger lot from their horse farm in Oswego.

3. Description of Building: Petitioner proposes to construct one 2-2½ story single family home in excess of 2,100 square feet on each of the western-most small lot and on the larger rear lot. The home proposed for the larger lot will likely have a walk out basement. The larger lot will also have a detached garage of up to 3,000 square feet.
4. Describe all requested variances/Deviations from underlying zoning regulations

(i.e. parking, setbacks, density, height/bulk, etc.): None

5. Describe all requested waivers from the Subdivision Regulations: (i.e ROW, widths, easements, etc.) NOTE: Complete this section as well as Exhibit 4 – attach additional pages if necessary: None

6. Deviations from Landscaping Regulations NOTE: Complete this section as well as Exhibit 6 – attach additional pages if necessary: None

7. General Land Use Data:

	Resid.	Comm.	Office	Indust.	R.O.W.	Park	School	Private	Other*	Total
No. of Acres	2.963				0.037					3.00
% of Total	98.75%				1.25%					100 %

*Please explain:

8. Development Densities:

	Number of Units	Gross Acres	Gross Density	Modified Gross Acres	Modified Gross Density	Minimum Lot Size	Maximum Lot Size	Average Lot Size
Single-Family	2	3.00	1.5 du/acre	2.963	1.48 du/acre	32,300 s.f.	2.25 acres	1.48 acres
Townhouse								
Duplex								
Apartment								
Comm.								
Office								
Industrial								

Gross Acres = land designated for land use type including right-of-way

Gross Density = number of units divided by gross acres

Modified Gross Acres = residential acreage including internal right-of-way, detention facilities, school/park dedications and open space

Modified Gross Density = number of units divided by modified gross acres

VIII. SCHOOL AND PARK DONATION REQUIREMENTS (calculation tables must be attached):

1. Required School Donation of 0.0360 acres will be met by a cash in lieu of land donation of \$11,458.80, requested to be paid at time of permitting.
2. Required Park Donation of 0.0504 acres will be met by a cash in lieu of land donation of \$16,309.44, requested to be paid at time of permitting.

IX. PRIVATE FACILITIES

1. Private open space and recreational facilities include: stormwater maintenance facility located in the rear of the 2.25 acre lot
2. Outlots and/or detention/retention facilities include (size, number and location): One private stormwater maintenance facility with a size of 16,100 sq. ft. located on the rear portion of the 2.25 acre lot.

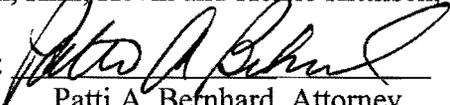
Which will be maintained by: _____ The City of Naperville
 _____ Homeowners Association
 X Other (Owners of Lots)

3. Detention, retention, open space/recreation and school uses within the development:

	Private –HOA (acres)	Public – to be Dedicated (acres)	Other* (acres)	Total (acres)
Open Space*				
a. Park site				
b. Common area*				
c. Private facility*			.37 acres	.37 acres
Sub Total			.37 acres	.37 acres
School site				
Total			.37 acres	.37 acres

* Please explain: Private detention facility for property exceeding 2.5 acres in size to be maintained by the lot owners.

Respectfully submitted,
 Dan, Kim, Kevin and Kelsie Kittilsen.

By: 
 Patti A. Bernhard, Attorney

State of Illinois)
 County of DuPage)
 City of Naperville)

The foregoing petition was acknowledged before me by Patti A. Bernhard on the 10th day of January, 2012 A.D.

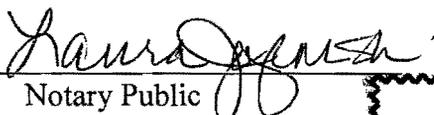
By: 
 Notary Public



EXHIBIT 1
Standards for Granting a Map Amendment (Rezoning)
Section 6-3-7:2

The Commission shall not recommend nor shall City Council grant an amendment to alter the zoning district boundary lines unless it shall make findings based upon the evidence presented to it in each specific case that:

1. *The amendment promotes the health, safety, comfort, convenience and general welfare and complies with the policies and official land use plan and other official plans of the City; and*

Petitioners are the current owners of a 3 acre parcel of property located on Knoch Knolls Road near 95th Street. Petitioners are requesting annexation of the subject property to the City of Naperville and rezoning said property from A-1 in Will County to R1A in the City of Naperville. The parcel currently is a small equestrian center in Will County surrounded by residentially-zoned properties in Will County and the City of Naperville. The current owners purchased the property in August of 2010, with the understanding that the previous owner could remain on the subject property and run his equestrian center for a period of 3 years. At the end of the three-year period, the owners would demolish the existing structures on the property, subdivide it into 3 lots and construct homes on 2 of the lots. The homes to be constructed are for Kevin and Kelsie Kittilsen, Dan and Kim Kittilsen's two children. Dan and Kim live near the property, and Dan has been constructing top quality homes in the Naperville area for over 20 years.

The requested annexation and rezoning of the subject property will promote the health, safety, comfort, convenience and general welfare of the neighborhood by eliminating an agricultural and commercial use that is inconsistent with the residential uses in the neighborhood and by constructing two residential uses that are consistent with the adjacent uses in the area. The R1A zoning requested for the subject property is consistent with the official land use plan and other official plans of the City and with the use designation of the properties surrounding the subject property. Therefore, the requested zoning complies with the policies and plans of the City.

2. *The trend of development in the area of the subject property is consistent with the requested amendment; and*

The trend of development in the area of the subject property is single family residential uses on larger lots. Under the 90% rule, the minimum lot size for the proposed subdivision is 12,352 square feet. The minimum lot size proposed is 16,150 square feet for two lots, which is consistent with or exceeds the lot sizes in the area, with the third lot being approximately 2.25 acres

- 3. The requested zoning classification permits uses which are more suitable than those permitted under the existing zoning classification; and*

The requested zoning classification of R1A is consistent with the residential zoning in the area. Residential uses are more suitable in the neighborhood than the existing use. The current zoning classification permits agricultural uses on the property which are not consistent with the residential nature of the surrounding area.

- 4. The property cannot yield a reasonable rate of return if permitted to be used only under the conditions allowed under the existing zoning classification; and*

In order for the Subject Property to be re-developed in the City, it must be served with public utilities, which will require annexation. Petitioners are seeking to annex the property to the City of Naperville. Its current use as a private equestrian center is not a use that is permitted in the R1A zoning district as depicted on the land use plan for this area of the City. The requested zoning classification is more appropriate than the existing classification based on the residential nature of the surrounding area.

- 5. The subject property has not been utilized under the existing zoning classification for a substantial period of time; and*

In order for the Subject Property to be re-developed in the City, it must be served with public utilities, which will require annexation. Petitioners are seeking to annex the property to the City of Naperville. While the subject property is currently utilized as a private equestrian center under the existing zoning classification in Will County, it cannot be utilized as an equestrian center if it is annexed to the City and zoned R1A pursuant to the land use plan for this area. The requested zoning classification is more appropriate than the existing classification based on the residential nature of the surrounding area.

- 6. The amendment, if granted will not alter the essential character of the neighborhood and will not be a substantial detriment to the adjacent property.*

This portion of the City has developed with predominantly residential uses and the essential character of the neighborhood is residential. The R1A zoning classification would be consistent with the land use plan and the existing uses in the area, would not alter the essential residential character of the neighborhood, and would not be a substantial detriment to the adjacent property. In fact, the proposed amendment will be in harmony with the existing residential character of the neighborhood and will be an improvement over the current uses for the neighborhood.

EXHIBIT 3
Standards for Granting a Conditional Use
Section 6-3-8:2

The Commission and City Council should make findings of fact that a conditional use for small wind and solar renewable energy systems is appropriate for a conditional use, under Section 6-3-8, Paragraph 2 of the Zoning Regulations, based on the following factors:

1. *The establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the public health, safety and general welfare; and*

Petitioners are seeking a conditional use pursuant to Chapter 15, Small Wind and Solar Renewable Energy Systems, of Title 6, Zoning Regulations, of the Naperville Code of Ordinances, which was adopted in December of 2010. The proposed conditional use for small wind and solar renewable energy systems is a benefit to the City as part of the City's Environmental Sustainability Plan as it will allow the City to accommodate sustainable energy production from renewable energy sources. Petitioners intend to use wind and solar power in order to make the homes proposed to be constructed on the two lots as energy efficient as possible or "net zero." Petitioners also believe that Naperville will benefit by these proposed renewable energy systems with the positive publicity the City will receive from the construction of these "green" homes. In this age of global warming, the use of renewable energy sources will be of benefit to the environment even if it is on a small scale, and will not be detrimental to, or endanger the public health, safety and general welfare.

2. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate area for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.*

The proposed renewable energy systems will be located in such a way as to not be injurious to the use or enjoyment of other property in the immediate area for use as residences. Petitioners will be in compliance with Chapter 15 of the Zoning Regulations. The conditional use will have no effect on the property values in the neighborhood. In fact, petitioners' use of renewable energy sources will prevent a drain of current energy resources.

3. *The establishment of the conditional use will not impede the normal and orderly development and improvement of the adjacent property for uses permitted in the district.*

The proposed renewable energy systems will not affect the normal and orderly development and improvement of the adjacent property for uses permitted in the R1A district. Most of the surrounding property is already developed with residential uses and petitioners' proposal will not negatively affect the development of the remaining lots in the area.

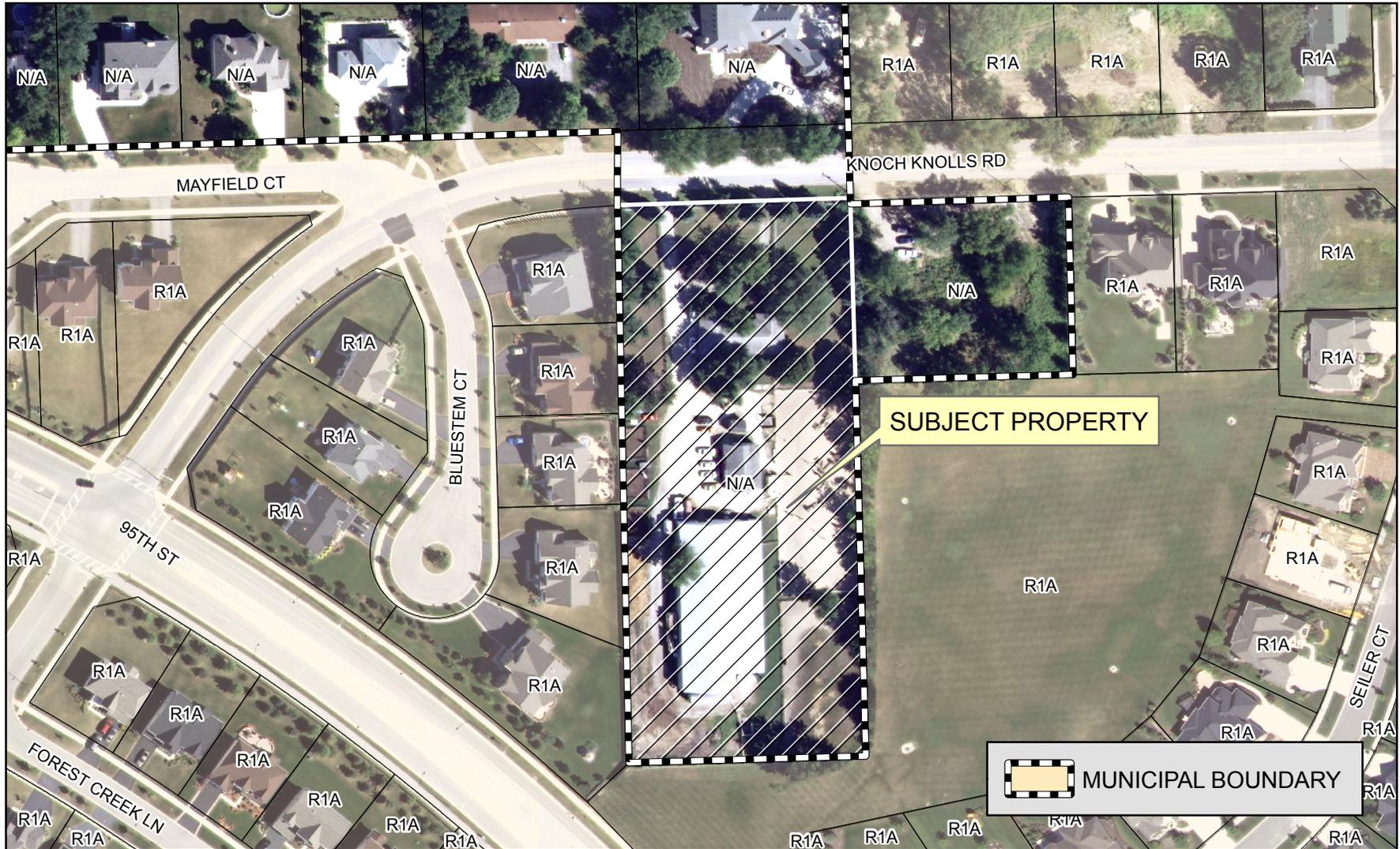
LEGAL DESCRIPTION

THE EAST 230 FEET OF THE NORTH 568.18 FEET OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS.

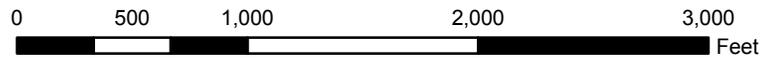
PIN: 07-01-12-100-004-0000

ADDRESS: 27 W 371 KNOCH KNOLLS ROAD
NAPERVILLE, ILLINOIS 60565

City of Naperville KITILSEN ESTATES



Transportation, Engineering and
Development Business Group
Questions Contact (630) 420-6719
www.naperville.il.us
January 2012



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ROAKE AND ASSOCIATES, INC.
 CONSULTING ENGINEERS • LAND SURVEYORS • PLANNERS
 1064 QUINCY AVENUE, SUITE 100A, NAPERVILLE, ILLINOIS 60564
 TEL: (630) 806-8222 • FAX: (630) 806-8207

STORM WATER MANAGEMENT EASEMENT AND COVENANT PROVISIONS

PERPETUAL PUBLIC STORMWATER AND DRAINAGE EASEMENTS ARE HEREBY GRANTED TO THE CITY OF NAPERVILLE, ITS AGENTS, SUCCESSORS AND ASSIGNS, OR ANY OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION OVER DRAINAGE OR STORMWATER FACILITIES, OVER, ON, ACROSS, AND UNDER ALL OF THE AREAS MARKED "STORMWATER MANAGEMENT EASEMENT" OR SHOWN ON THE PLAT FOR THE ROAD, PRIVILEGE, AND AUTHORITY FOR THE PURPOSES OF:

1. SURVEYING, CONSTRUCTING, RECONSTRUCTING, REPAIRING, INSPECTING, MAINTAINING, AND OPERATING ALL STORMWATER MANAGEMENT FACILITIES, STRUCTURES, GRASSES, AND SLOPES ON LOT 3 OF KITTILSEN ESTATES SUBDIVISION AND THE SIDE YARD AREAS OF LOTS 1, 2, AND 3 OF KITTILSEN ESTATES SUBDIVISION USED FOR STORMWATER CONVEYANCE.
2. ENTERING ONTO LOTS 1, 2, AND 3 OF KITTILSEN ESTATES SUBDIVISION OR ANY ADJOINING LOT TO PERFORM THE WORK SPECIFIED IN PARAGRAPH 1 TOGETHER WITH THE RIGHT OF ACCESS FOR NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OF THE FOREGOING WORK.
3. CUTTING DOWN, TRIMMING, OR REMOVING TREES, SHRUBS, PLANTS, MASON, LANDSCAPING STRUCTURES, RETAINING WALLS OR ANY OTHER MATERIALS ON LOT 3 OF KITTILSEN ESTATES SUBDIVISION AND THE SIDE YARD AREAS OF LOTS 1, 2, AND 3 OF KITTILSEN ESTATES SUBDIVISION USED FOR STORMWATER CONVEYANCE WHICH INTERFERED WITH THE OPERATIONS OF THE STORMWATER FUNCTIONS.

NO PERMANENT BUILDINGS, OR UTILITY FACILITIES SHALL BE CONSTRUCTED ON THE STORMWATER MANAGEMENT EASEMENT AREAS ON LOT 3 OF KITTILSEN ESTATES SUBDIVISION BY THE OWNER, OR THE OWNER'S SUCCESSORS IN INTEREST, BUT SAID STORMWATER MANAGEMENT EASEMENT AREAS ON LOT 3 OF KITTILSEN ESTATES SUBDIVISION MAY BE USED FOR OTHER PURPOSES THAT DO NOT NOW OR LATER INTERFERE OR COME IN CONFLICT WITH THE AFORESAID USES OR RIGHTS OR IN ANY WAY AFFECT OR IMPERE THE STORAGE OR FREE FLOW OF STORMWATER ON AND OVER SAID STORMWATER MANAGEMENT EASEMENT AREAS ON LOT 3 OF KITTILSEN ESTATES SUBDIVISION. THE CITY OF NAPERVILLE IS HEREBY GRANTED A PERMANENT AND PERPETUAL MUNICIPAL UTILITY EASEMENT OVER AND THROUGH ALL OF THE STORMWATER MANAGEMENT EASEMENT AREAS ON LOT 3 OF KITTILSEN ESTATES SUBDIVISION FOR THE PURPOSES OF CONSTRUCTION AND MAINTENANCE OF WATER, WASTEWATER, AND ELECTRIC UTILITY FACILITIES. THE CITY MAY CONSTRUCT SUCH MUNICIPAL UTILITY FACILITIES ON THE STORMWATER MANAGEMENT EASEMENT AREAS ON LOT 3 OF KITTILSEN ESTATES SUBDIVISION ONLY AFTER SUBMITTING AND RECEIVING APPROVAL OF ENGINEERING PLANS FROM THE CITY ENGINEER OR THE CITY ENGINEER'S DELEGEE. THE CITY OF NAPERVILLE SHALL, UPON COMPLETION OF ANY MUNICIPAL UTILITY WORK ON THE STORMWATER MANAGEMENT EASEMENT AREAS ON LOT 3 OF KITTILSEN ESTATES SUBDIVISION PROMPTLY REPAIR THE EASEMENT PROMISES TO THE SAME OR BETTER SURFACE CONDITION THAN THAT EXISTED PRIOR TO BEGINNING OF THE CITY WORK.

IF EITHER THE OWNER OR DEVELOPER FAILS TO MAINTAIN THE STORMWATER DETENTION/RETENTION FACILITIES ON LOT 3 OF KITTILSEN ESTATES SUBDIVISION AND THE SIDE YARD AREAS OF LOTS 1, 2, AND 3 OF KITTILSEN ESTATES SUBDIVISION USED FOR STORMWATER CONVEYANCE AS REQUIRED, THE CITY OF NAPERVILLE OR OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION OVER DRAINAGE OR STORMWATER FACILITIES ON SAID LOT 3 OF KITTILSEN ESTATES SUBDIVISION AND THE SIDE YARD AREAS OF LOTS 1, 2, AND 3 OF KITTILSEN ESTATES SUBDIVISION USED FOR STORMWATER CONVEYANCE, IN PERFORMING SUCH WORK, PLUS AN ADDITIONAL TEN PERCENT AND ANY REASONABLE ATTORNEY'S FEES, INCLUDING THE COSTS OF IN-HOUSE CONSULT, CONNECTED WITH THE COLLECTION OF SUCH COSTS.

THE INDIVIDUAL OWNERS OF LOTS 1, 2, AND 3 OF KITTILSEN ESTATES SUBDIVISION CREATED BY THE FINAL PLAT OF SUBDIVISION, OR THEIR HEIRS, LEGATEES, ASSIGNS, OR SUCCESSORS IN INTEREST, SHALL BE JOINTLY AND SEVERALLY LIABLE FOR ALL COSTS INCURRED BY THE CITY OR OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION OVER DRAINAGE OR STORMWATER FACILITIES ON SAID LOT 3 OF KITTILSEN ESTATES SUBDIVISION AND THE SIDE YARD AREAS OF LOTS 1, 2, AND 3 OF KITTILSEN ESTATES SUBDIVISION USED FOR STORMWATER CONVEYANCE, IN PERFORMING SUCH WORK, PLUS AN ADDITIONAL TEN PERCENT AND ANY REASONABLE ATTORNEY'S FEES, INCLUDING THE COSTS OF IN-HOUSE CONSULT, CONNECTED WITH THE COLLECTION OF SUCH COSTS.

THE ACTUAL COSTS OF THE CITY OR OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION TO PERFORM ANY NECESSARY WORK, AS DETERMINED BY THE CITY, OR SUCH OTHER GOVERNMENTAL ENTITY, PLUS TEN PERCENT AND ALL ATTORNEY'S FEES, SHALL CONSTITUTE A LIEN AGAINST THE INDIVIDUAL LOTS, WHICH LIEN MAY BE FORECLOSED BY AN ACTION BROUGHT IN A COURT OF COMPETENT JURISDICTION BY OR ON BEHALF OF THE CITY OR SUCH OTHER GOVERNMENTAL ENTITY.

THE PROVISIONS OF THESE COVENANTS AND DECLARATION RELATING TO STORMWATER FACILITIES SHALL NOT BE AMENDED, MODIFIED, OR ABROGATED WITHOUT THE PRIOR WRITTEN APPROVAL OF THE CITY OR OTHER GOVERNMENTAL ENTITY HAVING JURISDICTION OVER DRAINAGE OR STORMWATER FACILITIES ON LOT 3 OF KITTILSEN ESTATES SUBDIVISION.

ALL OF THE ABOVE-STATED OBLIGATIONS SHALL ALSO BE CLEARLY REFERENCED IN ANY COVENANTS, CONDITIONS, DECLARATIONS, AND RESTRICTIONS RECORDED AGAINST ANY OF THE LOTS CREATED BY THIS FINAL PLAT OF SUBDIVISION, AND IN ANY DEEDS OR TITLE DOCUMENTATION REQUIRED FOR THE CONVEYANCE OF ANY OF SUCH INDIVIDUAL LOTS OR UNITS.

PUBLIC UTILITIES AND DRAINAGE EASEMENT PROVISIONS

EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE CITY OF NAPERVILLE, ILLINOIS AND TO THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISE FROM THE CITY OF NAPERVILLE, INCLUDING, BUT NOT LIMITED TO, ILLINOIS BELL TELEPHONE COMPANY (I/B/T), AT&T ILLINOIS, HCCOR GAS COMPANY AND THEIR SUCCESSORS AND ASSIGNS, OVER ALL OF THE AREAS MARKED "PUBLIC UTILITIES AND DRAINAGE EASEMENT" OR SHOWN ON THE PLAT FOR THE PERPETUAL, RIGHT, PRIVILEGE AND AUTHORITY TO SURVEY, CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE VARIOUS UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS, COMMUNITY ANTENNA TELEVISION SYSTEMS AND INCLUDING STORM AND/OR SANITARY SEWERS, TOGETHER WITH ANY AND ALL NECESSARY MANHOLES, CATCH BASINS, CONNECTIONS, APPLIANCES AND OTHER STRUCTURES AND APPURTENANCES AS MAY BE DEEMED NECESSARY BY SAID CITY, OVER, UPON, UNDER AND THROUGH SAID NOTICED EASEMENTS, TOGETHER WITH RIGHT OF ACCESS ACROSS THE GRANTEE'S PROPERTY FOR NECESSARY MEN AND EQUIPMENT TO DO ANY OF THE ABOVE WORK.

THE RIGHT IS ALSO GRANTED TO TRIM OR REMOVE TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENTS THAT INTERFERE WITH THE OPERATION OF THE SEWERS OR OTHER UTILITIES. NO PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT NOW OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS. WHERE AN EASEMENT IS USED BOTH FOR SEWERS AND OTHER UTILITIES, THE OTHER UTILITY INSTALLATION SHALL BE SUBJECT TO THE ORDINANCES OF THE CITY OF NAPERVILLE.

EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE CITY OF NAPERVILLE AND OTHER GOVERNMENTAL AUTHORITIES HAVING JURISDICTION OF THE LAND SUBDIVIDED HEREBY, OVER THE ENTIRE EASEMENT AREA FOR WASTEWATER, SEWERS AND THE PERFORMANCE OF MUNICIPAL AND OTHER GOVERNMENTAL SERVICES, INCLUDING WATER, STORM AND SANITARY SEWER SERVICE AND MAINTENANCE.

OWNER'S CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF WELLS

THIS IS TO CERTIFY THAT DAN KITTILSEN, KIM KITTILSEN, KELSE KITTILSEN AND KEVIN KITTILSEN ARE THE OWNERS OF THE PROPERTY DESCRIBED ABOVE AND HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS SHOWN HEREON FOR THE USES AND PURPOSES THEREIN SET FORTH AND AS ALLOWED AND PROVIDED BY STATUTES, AND THEY DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE AFORESAID.

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

OWNER DAN KITTILSEN, KIM KITTILSEN, KELSE KITTILSEN AND KEVIN KITTILSEN

BY: SIGNATURE DAN KITTILSEN BY: SIGNATURE KELSE KITTILSEN
BY: SIGNATURE KIM KITTILSEN BY: SIGNATURE KEVIN KITTILSEN

NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF WELLS

THE UNDERSIGNED, A NOTARY PUBLIC IN THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT DAN KITTILSEN, KIM KITTILSEN, KELSE KITTILSEN AND KEVIN KITTILSEN ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, 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 OF SAID DAN KITTILSEN, KIM KITTILSEN, KELSE KITTILSEN AND KEVIN KITTILSEN AS OWNERS, FOR THE USES AND PURPOSES THEREIN SET FORTH.

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

NOTARY PUBLIC SIGNATURE

PRINT NAME

MY COMMISSION EXPIRES ON _____ A.D. 20____ YEAR

CITY COUNCIL CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF DUPAGE

APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, ILLINOIS, AT A MEETING HELD THE _____ DAY OF _____ 20____

BY: _____ MAYOR ATTEST: _____ CITY CLERK

NAPERVILLE PLANNING AND ZONING COMMISSION CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF DUPAGE

APPROVED BY THE NAPERVILLE PLANNING AND ZONING COMMISSION AT A MEETING HELD THE _____ DAY OF _____ A.D. 20____

BY: _____ CHAIRMAN ATTEST: _____ SECRETARY

CITY TREASURER'S CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF DUPAGE

I, TREASURER FOR THE CITY OF NAPERVILLE, ILLINOIS DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENT THEREOF, THAT HAVE NOT BEEN APPOINTED AGAINST ANY OF THE TRACT OF LAND INCLUDED IN THE ANNEXED PLAT.

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

CITY TREASURER/DIRECTOR, FINANCE DEPARTMENT

WELL COUNTY TAX MAPPING DEPARTMENT CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF WELLS

I, DIRECTOR OF THE TAX MAPPING AND PLATTING OFFICE DO HEREBY CERTIFY THAT I HAVE CHECKED THE PROPERTY DESCRIPTION ON THIS PLAT FOR THAT PORTION WITHIN THE LIMITS OF WELL COUNTY AGAINST AVAILABLE COUNTY RECORDS AND FIND SAID DESCRIPTION TO BE TRUE AND CORRECT. THE PROPERTY HEREIN DESCRIBED IS LOCATED ON TAX MAP # _____ AND IDENTIFIED AS PERMANENT REAL ESTATE TAX INDEX NUMBER P90 _____

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

DIRECTOR

COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF WELLS

THIS INSTRUMENT NUMBER _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF WELL COUNTY, ILLINOIS AFORESAID ON THIS _____ DAY OF _____ A.D. 20____ AT _____ O'CLOCK AND WAS RECORDED IN BOOK _____ OF PLATS ON PAGE _____

RECORDER OF DEEDS

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF WELLS

I, _____ COUNTY CLERK OF WELL COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE ANNEXED PLAT.

GIVEN UNDER MY NAME AND SEAL OF THE COUNTY CLERK AT JOJET, ILLINOIS, THIS _____ DAY OF _____ A.D. 20____

COUNTY CLERK

SCHOOL DISTRICT BOUNDARY STATEMENT

STATE OF ILLINOIS } SS
COUNTY OF DUPAGE

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS/HER OATH DEPOSES AND STATES AS FOLLOWS:

1. THAT DAN KITTILSEN, KIM KITTILSEN, KELSE KITTILSEN AND KEVIN KITTILSEN, AS THE OWNERS OF THE PROPERTY LEGALLY DESCRIBED ON THIS PLAT OF SUBDIVISION, WHICH HAS BEEN SUBMITTED TO THE CITY OF NAPERVILLE FOR APPROVAL, WHICH LEGAL DESCRIPTION IS INCORPORATED HEREIN BY REFERENCE; AND
2. TO THE BEST OF THE OWNERS' KNOWLEDGE, THE SCHOOL DISTRICT IN WHICH TRACT, PARCEL, LOT OR BLOCK OF THE PROPOSED SUBDIVISION LIES IS:

INDIAN PRAIRIE SCHOOL DISTRICT 204
425 N. COMBURG DRIVE
AURORA, ILLINOIS 60504

OWNERS: DAN KITTILSEN, KIM KITTILSEN, KELSE KITTILSEN AND KEVIN KITTILSEN

BY: SIGNATURE DAN KITTILSEN BY: SIGNATURE KELSE KITTILSEN

BY: SIGNATURE KIM KITTILSEN BY: SIGNATURE KEVIN KITTILSEN

SUBSCRIBED AND SWORN BEFORE ME

THIS _____ DAY OF _____ A.D. 20____
DATE MONTH YEAR

NOTARY PUBLIC SIGNATURE

SURFACE WATER STATEMENT

STATE OF ILLINOIS } SS
COUNTY OF DUPAGE

TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF THIS SUBDIVISION OR ANY PART THEREOF, OR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS, OR DRAINING WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

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

ILLINOIS LICENSED PROFESSIONAL ENGINEER NO. 45225
LICENSE VALID THROUGH NOVEMBER 30, 2013

OWNERS: DAN KITTILSEN, KIM KITTILSEN, KELSE KITTILSEN AND KEVIN KITTILSEN

BY: SIGNATURE DAN KITTILSEN BY: SIGNATURE KELSE KITTILSEN

BY: SIGNATURE KIM KITTILSEN BY: SIGNATURE KEVIN KITTILSEN

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF DUPAGE

I, CHARLES A. HULSE, AN ILLINOIS LICENSED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION THEREOF. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMALS THEREOF.
THE EAST 210 FEET OF THE NORTH 644.8 FEET OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 37 NORTH RANGE 6, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WELL COUNTY, ILLINOIS.

I FURTHER CERTIFY THAT THE PROPERTY SHOWN ON THE PLAT HEREOF DRAWN IS SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF NAPERVILLE, WHICH HAS ADOPTED AN OFFICIAL COMPREHENSIVE PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY THE STATE OF ILLINOIS ACCORDING TO 85 ILCS 6/15-2.6, AS HERETOFORE AND HEREAFTER AMENDED AND THAT SAID SUBDIVISION IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP - COMMUNITY PANEL NUMBER 170430204N, DATED DECEMBER 16, 2004.

THIS PLAT HAS BEEN PREPARED BY ROAKE AND ASSOCIATES, INC., ILLINOIS LICENSED PROFESSIONAL DESIGN FIRM NO. 807, LICENSE EXPIRES APRIL 30, 2013, UNDER MY PERSONAL DIRECTION FOR THE EXCLUSIVE USE OF THE CLIENT NOTED HEREOF.

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

ILLINOIS LICENSED PROFESSIONAL LAND SURVEYOR NO. 2864
LICENSE VALID THROUGH NOVEMBER 30, 2011

CITY PROJECT NUMBER: 12-1000004

NO.	DATE	DESCRIPTION	REVENUE	
			NO.	AMOUNT
1	2/14/12	REVENUE PER CITY MEMO 2-12		

KITTILSEN ESTATES
 PRELIMINARY/FINAL PLAT OF SUBDIVISION
 DRN/CD: BY: SRW/CH FILE: 7341PS FILE DR./P/L: 237/37 SHEET NO. 2 OF 2
 SCALE: NONE DATE: 07/15/11 JOB NO.: 734-001

Page 40 - Agenda Item D.5.

TREE PRESERVATION PLAN

G:\734001\7341E.dwg, Model, 07/15/2011 3:10:41 PM, stewart

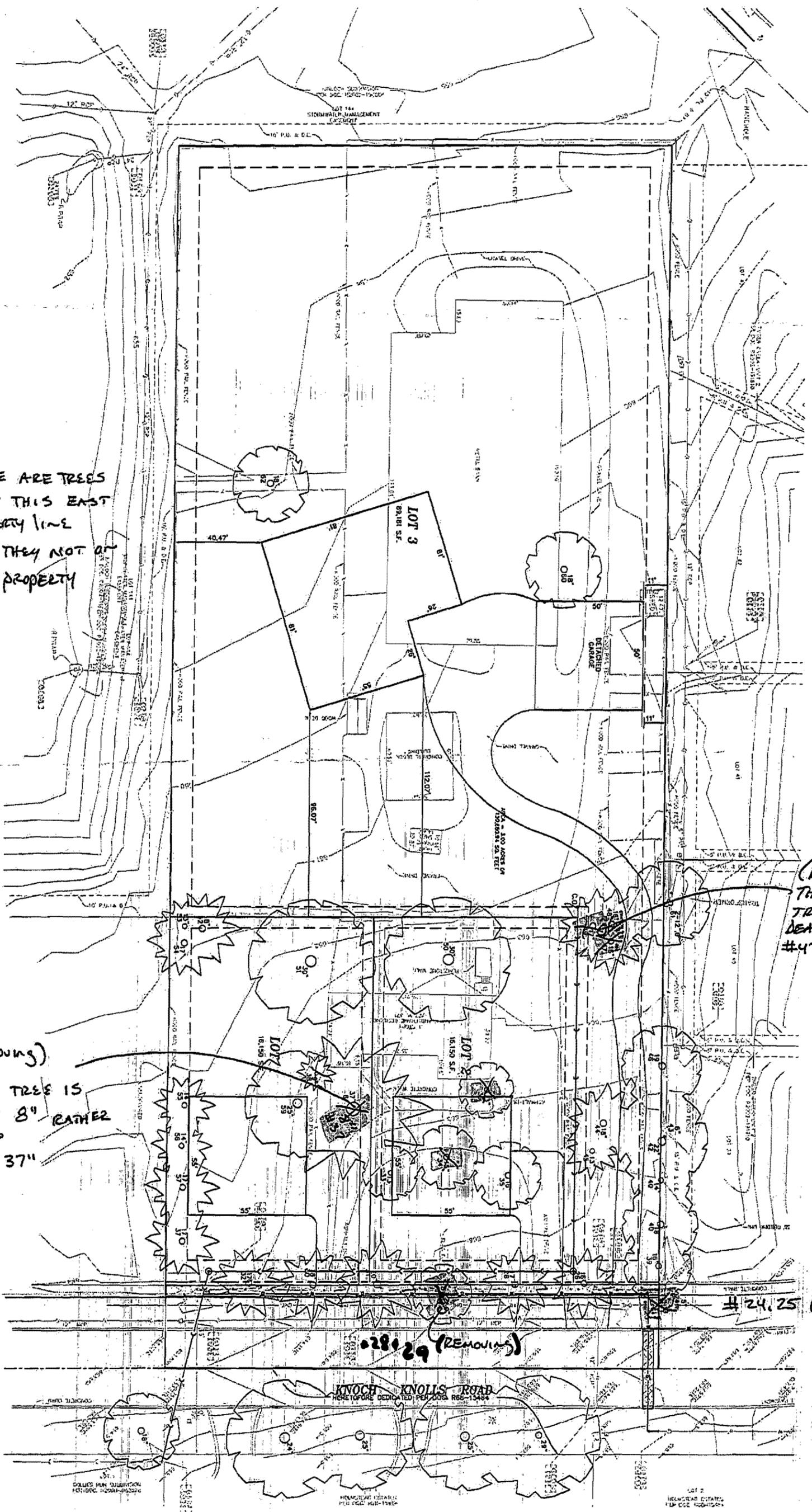
* THERE ARE TREES
DOWN THIS EAST
PROPERTY LINE
ARE THEY NOT ON
OUR PROPERTY

(REMOVING)
THESE 3
TREES ARE
DEAD
#47, 48, 49

(REMOVING)
THIS TREE IS
#37 8" RATHER
THAN
#8 37"

#24, 25 (REMOVING)

#28, 29 (REMOVING)



KITTILSEN SUBDIVISION

STATE OF ILLINOIS)
)
COUNTIES OF DUPAGE & WILL)
)
CITY OF NAPERVILLE)

PETITION TO GRANT A CONDITIONAL USE

The undersigned Petitioners, Dan, Kim, Kevin and Kelsie Kittilsen, represent to the City of Naperville that they are the owners of the real property legally described in **Exhibit A** and depicted on **Exhibit B**, which exhibits are attached hereto and incorporated herein by reference (hereinafter referred to as the "Subject Property"), and that it proposes to subdivide the Subject Property into two lots and construct two homes on the Subject Property. In order to develop the Subject Property, the Petitioners respectfully petition the City of Naperville to grant (a) a Conditional Use for solar renewable energy systems pursuant to Sections 6-3-8 and Chapter 15 of the Zoning Regulations of the Naperville Municipal Code and (b) any requisite zoning and/or subdivision and/or landscape deviations and/or variances associated with the requested Conditional Use.

In support of this Petition, the Petitioners represent to the City of Naperville as follows:

1. That the Petitioners, whose address is 2707 San Luis Court, Naperville, Illinois, are the owners of the Subject Property.
2. That the Subject Property consists of approximately 3 acres and is located on the south side of Knoch Knolls Road, north of 95th Street between Seiler and Bluestem Courts and is commonly known as 27 W. 371 Knoch Knolls Road in Will County.
3. That the Subject Property is zoned A-1 (Agricultural District) in Will County.

4. That the Subject Property is currently improved with a single family residence and an equestrian center, including a barn/stable, outbuilding, and a riding arena.

5. That the existing land uses surrounding the Subject Property are as follows:

North: Residential

South: Residential

East: Residential

West: Residential.

6. That the Petitioners propose to subdivide the Subject Property into three lots and to construct a single family residence on 2 of the 3 lots as depicted on **Exhibit B**.

7. That the Petitioner requests a Conditional Use pursuant to Chapter 15 of the Zoning Regulations to allow for solar renewable energy systems on the lots which will allow the homes to be energy efficient.

8. That granting the requested Conditional Use is appropriate, under Section 6-3-8:2 of the Zoning Regulations of the Naperville Municipal Code based on the following factors:

- a. *The establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the public health, safety and general welfare; and*

Petitioners are seeking a conditional use pursuant to Chapter 15, Small Wind and Solar Renewable Energy Systems, of Title 6, Zoning Regulations, of the Naperville Code of Ordinances, which was adopted in December of 2010. The proposed conditional use for solar renewable energy systems is a benefit to the City as part of the City's Environmental Sustainability Plan as it will allow the City to accommodate sustainable energy production from renewable energy sources. Petitioners intend to use solar power in order to make the homes proposed to be constructed on the two lots as energy efficient as possible or "net zero." Petitioners also believe that Naperville will benefit by these proposed renewable energy systems with the positive publicity the City might receive from the construction of these "green" homes. In this age of global warming, the use of renewable energy sources will be of benefit to the environment even if it is on a small scale, and will not be detrimental to, or endanger the public health, safety and general welfare.

- b. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate area for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.*

The proposed renewable energy systems will be located in such a way as to not be injurious to the use or enjoyment of other property in the immediate area for use as residences. Petitioners will be in compliance with Chapter 15 of the Zoning Regulations. The conditional use will have no effect on the property values in the neighborhood. In fact, petitioners' use of renewable energy sources will prevent a drain of current energy resources.

- c. *The establishment of the conditional use will not impede the normal and orderly development and improvement of the adjacent property for uses permitted in the district.*

The proposed renewable energy systems will not affect the normal and orderly development and improvement of the adjacent property for uses permitted in the R1A district. Most of the surrounding property is already developed with residential uses and petitioners' proposal will not negatively affect the development of the remaining lots in the area.

9. That granting the requested Conditional Use is appropriate, under Section 6-15-6, entitled Conditional Uses of the Zoning Regulations, of the Naperville Municipal Code based on the following factors:

- a. *The City Council shall determine the application has met all of the general requirements of this Chapter, except for those for which a variance has been specifically granted.*

The proposed solar energy systems for the subject properties will meet all of the requirements of Chapter 15, entitled Small Wind and Solar Renewable Energy Systems.

The proposed solar energy systems will consist of a combination of roof-mounted solar panels and solar shingles. Since the solar energy systems generate energy from a natural resource, namely, sunlight, they are renewable energy systems by definition in the ordinance. The solar energy systems shall be accessory to the principal housing structures. Petitioner will obtain building permits prior to installing the solar energy systems in conjunction with the construction of the houses, and the systems will be interconnected with the City's Department of Public Utilities pursuant to the Department's Service Rules and Policies. Since this is new construction, the roof

pitch will be designed in such a way as to not require the panels to be tilted up from the roof. In addition, the solar panels will not exceed the peak roof height. The petitioner will comply with the maintenance and removal requirements of Chapter 15.

- b. *The proposed energy system shall further the intent of this Chapter and provide renewable energy to the property on which it is proposed.*

The proposed energy systems will further the intent of Chapter 15 by accommodating sustainable energy production from renewable energy sources. The proposed solar energy systems will provide energy from renewable sunlight in furthering the intent of this Chapter. The petitioner is striving to meet a net zero energy usage through the use of renewable energy systems.

Further, the aesthetics, property values, public health and safety will not be adversely affected by the proposed renewable energy systems. The lots in the proposed subdivision are large lots with numerous mature trees. The homes to be constructed are for the petitioners and, as such, aesthetics are very important. Petitioner, Dan Kittilsen has been building homes in the Naperville area for a number of years, and is well-known for the quality of his construction and aesthetics. The systems will be installed on the properties to be as unobtrusive as possible.

- c. *The proposed renewable energy system is located in such a manner as to minimize intrusions on adjacent residential uses through siting on the lot, selection of appropriate equipment and other applicable means.*

The proposed renewable energy systems will be located in such a way as to not be injurious to the use or enjoyment of other property in the immediate area for use as residences. The proposed lots are fairly large in size and the equipment will be sited and selected so as to minimize any intrusion onto the adjacent lots. As stated above, the roofs will be pitched so as to make the use of solar panels and shingles as efficient as possible and aesthetically pleasing. Again, the houses being constructed are for Petitioners and, as such, aesthetics is very important. Petitioners will be in compliance with Chapter 15 of the Zoning Regulations as to siting and equipment. .

- d. *The proposed renewable energy system complies with the service rules and policies of the City of Naperville's Department of Public Utilities – Electric as may be amended from time to time.*

The proposed renewable energy system will comply with the service rules and policies of the City of Naperville's Department of Public Utilities – Electric.

- e. *The establishment of the proposed renewable energy system will not prevent the normal and orderly use, development or improvement of the adjacent property for uses permitted in the district.*

The proposed renewable energy systems will not affect the normal and orderly development and improvement of the adjacent property for uses permitted in the R1A district. Most of the surrounding property is already developed with residential uses and petitioners' proposal will not negatively affect the development of the remaining lots in the area. In fact, petitioners' use of renewable energy sources will prevent a drain of current energy resources and have a positive impact on the City of Naperville.

WHEREFORE, by reason of the foregoing, the Petitioners requests the City Council and Plan Commission take the necessary steps to grant (a) a Conditional Use for small wind and solar renewable energy systems to be installed on the Subject Property 6-3-8 of the Zoning Regulations of the Naperville Municipal Code and (b) any requisite zoning and/or subdivision and/or landscape deviations and/or variances associated with the requested Conditional Use for the Subject Property as legally described on **Exhibit A** and depicted on **Exhibit B**.

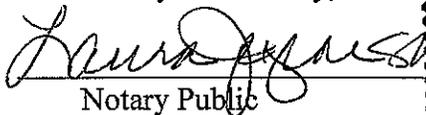
RESPECTFULLY SUBMITTED this 15th day of February, 2012.

PETITIONERS:

DAN, KIM, KEVIN AND KELSIE KITILSEN

By: 
Dommermuth, Brestal, Cobine and West, Ltd.,
Its Attorneys

SUBSCRIBED and SWORN to before me
this 15th day of February, 2012.


Notary Public



Prepared by:
Patti A. Bernhard
Dommermuth, Brestal, Cobine and West, Ltd.
123 Water Street
Naperville, Illinois 60540

**EXHIBIT A
LEGAL DESCRIPTION**

THE EAST 230 FEET OF THE NORTH 568.18 FEET OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS.

PIN: 07-01-12-100-004-0000

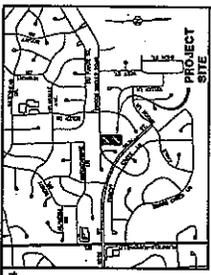
ADDRESS:

27 W 371 KNOCH KNOLLS ROAD
NAPERVILLE, ILLINOIS 60565

**EXHIBIT B
PRELIMINARY PLAT**

149733/1

- 7 -



P.L.N. 01-12-100-004

SCALE: 1"=40'

BASE OF RECORDS: 1988-1990
EAST LINE OF LOTS 3-5 IN
NOR 21 1/4 (RECORDED)

THIS PLAN HAS BEEN SUBMITTED FOR
RECORDING BY AND RETURNED TO
ADDRESS: 26108 STEWART RIDGE DRIVE
PLAINFIELD, ILLINOIS 62558
AND S. CALLE STREET
NOR 21 1/4 (RECORDED)

PRELIMINARY/FINAL PLAT OF SUBDIVISION
OF
KITTILSEN ESTATES
NAPERVILLE, ILLINOIS

PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 9,
EAST OF THE THIRD PRINCIPAL MERIDIAN IN WILL COUNTY, ILLINOIS.

GROSS AREA: 13,6381 SQ.FT. OR 313.00 AC.
DEDICATED ROW AREA: 13,6381 SQ.FT. OR 313.00 AC.
NET AREA: 13,6381 SQ.FT. OR 313.00 AC.

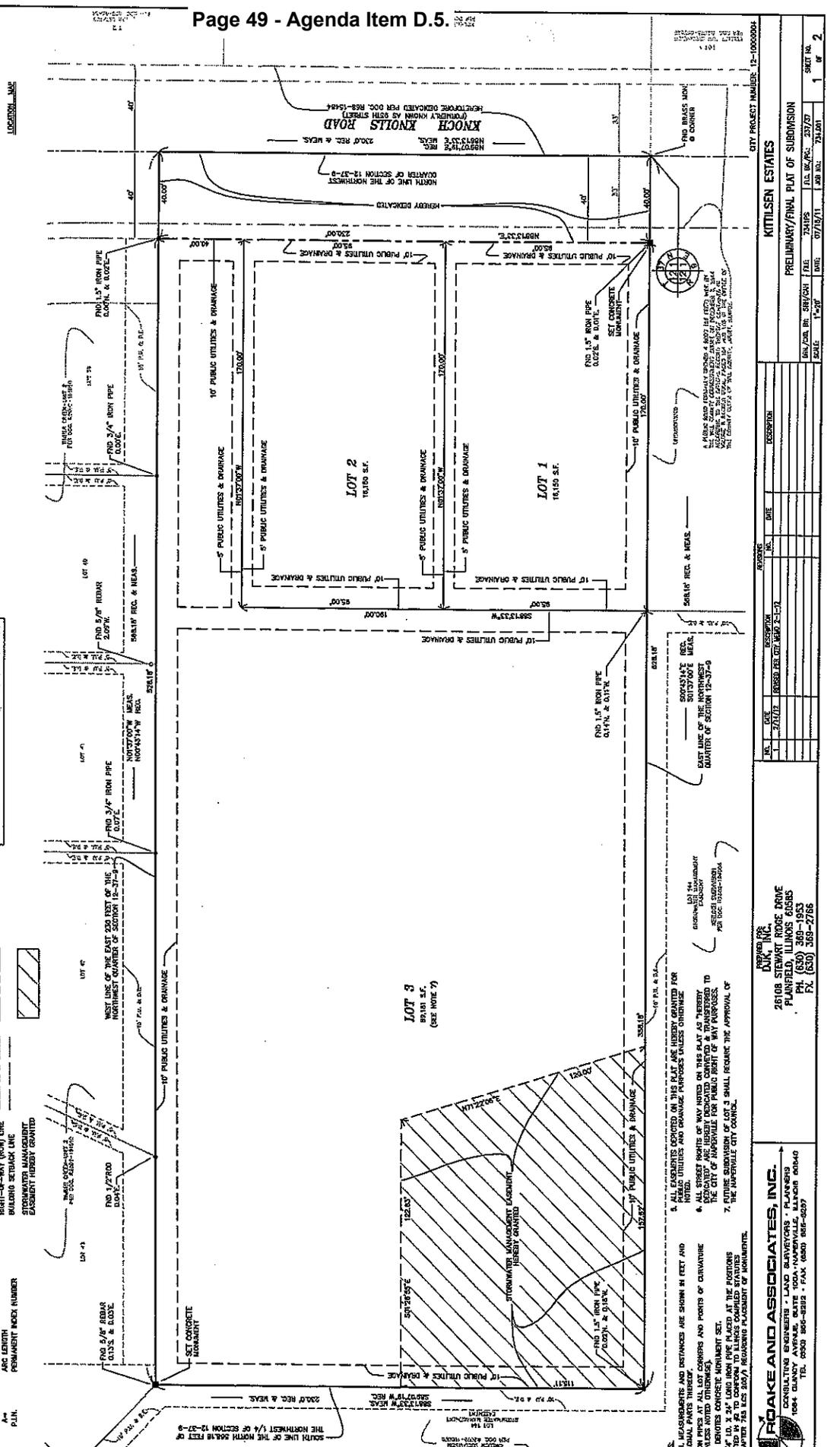
LEGEND

SYMBOL	DESCRIPTION
[Dashed line]	SUBDIVISION BOUNDARY
[Solid line]	LOT LINE
[Dotted line]	CONCRETE MONUMENT
[Dashed line]	EASEMENT LINE
[Dotted line]	SECTION LINE
[Dashed line]	RIGHT-OF-WAY (ROW) LINE
[Dotted line]	BUILDING SETBACK LINE
[Dotted line]	STORMWATER MANAGEMENT EASEMENT (WHERE SHOWN)

ABBREVIATIONS

SYMBOL	MEASUREMENT DATA
[Dashed line]	CONCRETE MONUMENT
[Dotted line]	SECTION LINE
[Dotted line]	RIGHT-OF-WAY (ROW) LINE
[Dotted line]	BUILDING SETBACK LINE
[Dotted line]	STORMWATER MANAGEMENT EASEMENT (WHERE SHOWN)

LOT #	LOT AREA	LOT WIDTH @ FRONT OF WAY
1	16,150	61.00
2	16,150	61.00
3	16,150	61.00



ROAKE AND ASSOCIATES, INC.
CONSULTING ENGINEERS - LAND SURVEYORS - PLANNERS
1084 GULLY ROAD, SUITE 100, PLAINFIELD, ILLINOIS 62558
TEL: (630) 369-2018 FAX: (630) 369-2029

DATE: 07/15/11
SCALE: 1"=40'
FILE NO.: 2011-000004
CITY PROJECT NUMBER: 12-1000004

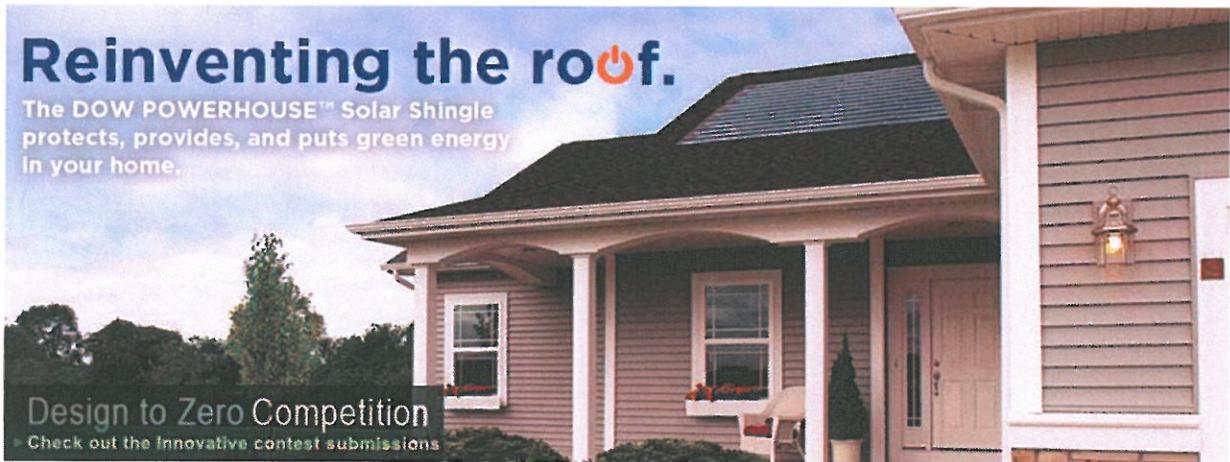
PRELIMINARY/FINAL PLAT OF SUBDIVISION
KITTILSEN ESTATES

DATE: 07/15/11
SCALE: 1"=40'
FILE NO.: 2011-000004
CITY PROJECT NUMBER: 12-1000004



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It isn't on the roof, it *IS* the roof.

Finally, Solar power looks just as good as it works.

It looks like a typical roofing shingle. It's even durable like a regular shingle. But DOW POWERHOUSE™ Solar Shingles provide dual functionality. They can withstand varying temperatures, wind, hail and inclement weather. In addition, they also provide clean, renewable energy to your home.

[Learn more >](#)

Authorized Dealers in Colorado are the first to offer POWERHOUSE™ Solar Shingles

Dow Solar is introducing limited quantities of the POWERHOUSE™ Solar Shingles in [targeted US markets >](#)

Be the First to Know

Stay on top of availability and other news. Sign up for our email updates.

Enter your Email

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WHY SOLAR?

Clean, abundant and untapped

Explore the science behind solar power and the advantages of tapping into the sun's energy

[See the benefits >](#)

PROTECTS

Durable and reliable

It's an entire roofing system built to protect your home

[See the technology >](#)

POWERS

Renewable energy solution

Now, you can generate your own electricity to help reduce utility bills

[See how >](#)

SEAMLESS

Installation is seamless

They look good on any home and with simple installation, its now easier than ever to go solar

[See for yourself >](#)

<p> For Homeowners</p> <p>DOW POWERHOUSE Solar Shingles power and protect your home, while allowing you to track your energy production and consumption. Also, the seamless installation makes the entire process simple for you.</p> <p></p> <p>Learn more ></p>	<p> For Business</p> <p>Track your energy production, consumption and much more with the homeowner monitoring website.</p> <p></p> <p>Learn more ></p>
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The one truly renewable natural resource.

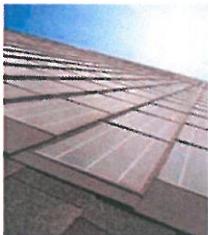


Why Solar

Solar is the fastest growing energy source in the world, and for good reason. It offers a limitless supply of clean, safe, renewable energy for heat and power. And it's more affordable, more efficient, and more reliable than ever.

The advantages of Solar and other renewable power sources are clear: greater independence from imported fossil fuels, a cleaner environment, diversity of power sources, relief from the volatility of energy prices, more jobs and greater domestic economic development. With new solutions like the Dow POWERHOUSE™ Solar Shingles, solar is moving into the mainstream and growing worldwide at 40-50% annually.

And the sun is abundant - enough sunlight reaches the earth's surface in one HOUR to power all of mankind's energy needs for one YEAR. And because solar power is generated with sunlight, not heat, even states in Northern climates of the U.S. are great areas for solar use.



There has never been a better time to go solar

- A rooftop installation of DOW POWERHOUSE Solar Shingles is much more affordable than most people realize. With the ability to cover the cost of a solar system in the first half of its intended life, and generate power and savings immediately, a DOW POWERHOUSE roof has a lower net cost over its lifetime than a home equipped with a conventional roof and grid-supplied electricity.
- With Federal tax credits of 30%, along with possible state and utility discounts, solar energy has never been more financially attractive. Or aesthetically pleasing.
- For specifics on what solar energy will cost any homeowner, consider specifics such as a home's size, the orientation of the roof, the weather, the homeowner's energy offset goals, local utility rates and available renewable energy programs.

More than just an Energy Solution - it's Energy Empowerment.

- Now you can take control of those utility bills by using the sun's clean abundant energy. Every kWh of energy created is

CBS Evening News Clip

Dow Chemical's Solar-Powered Jobs Plan



Watch video ▶

Solar in Action

Watch how this emerging energy resource works.



Watch video ▶

Solar made simple – Experience the savings



Watch how seamless installation can be.

Watch video ▶



one you don't have to buy from the power company. Finally, a roof that powers your home and empowers you.

- Curious about living in an energy-efficient home that generates all the power it needs? Read about our latest project, the InVision Zero Home.
- <http://www.invisionzerohome.com>.



Solar in America.

The U.S. solar industry is growing exponentially, creating market opportunity, jobs and spurring economic growth

- More than 100,000 Americans work in the solar industry, double the number since 2009.
- They work at more than 5,000 companies, the vast majority being small businesses, in every state.
- In the last year, solar grew by 69%, making it one of the fastest growing sectors in the economy.
- Solar power in the U.S. now exceeds 3,100 megawatts, enough to power more than 630,000 American homes.

The Solar Industry is expected to stay strong and only get stronger

- The U.S. is projected to become the world's largest solar market by 2014.
- Solar is already the fastest growing energy sector in the U.S. and by 2014 it will likely be the largest source of new electric capacity in America.

The POWERHOUSE™ Solar Shingle is Made in the USA at Dow's small scale manufacturing facility in Midland, Michigan. Dow has also begun construction of a new, large-scale facility at Dow's Midland, Michigan Operations site, which will create up to 1,275 jobs between now and 2015.

The continued success of the global solar industry will require the kind of technical excellence, market insight, ease of adoption & manufacturing know-how that is embedded in the DOW POWERHOUSE™ product and at the core of Dow's strengths.

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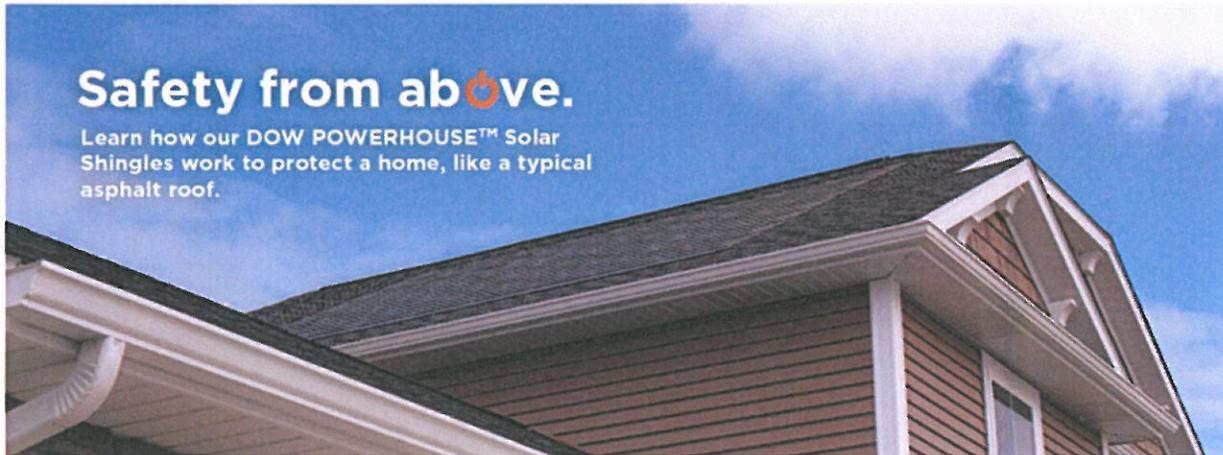
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Our Solar Shingles aren't on the roof, they are the roof.



Durable

The DOW POWERHOUSE™ Solar Shingle roofing system protects the home like a standard roofing product while also providing energy to power it.

They provide protection from the elements just like a typical asphalt shingle, and are rugged enough to withstand the rigours of a construction site and roof installation.



Reliable

Our Solar Shingles meet building code requirements necessary for weather-durable roofing material. They are also proven to be an effective photovoltaic system, and are the first residential roofing shingle with an integrated connection to receive Underwriters Laboratories (UL) safety certification.

In total, [DOW POWERHOUSE™ Solar Shingles have received seven certifications](#) for product performance and safety including three Underwriters Laboratories safety certifications for the solar module, fire, and uplift resistance; building code certification from the International Code Council Evaluation Service; International Electrotechnical Commission performance certification; California Energy Commission List of Eligible Equipment certification; and performance certification of ASTM wind uplift resistance.

Backed by the strength of the Dow brand, and supported by a 20 year warranty, the POWERHOUSE™ Solar Shingles are a product that homeowners can feel both proud and confident to put on their home. They are another example of a safe and reliable building solution available today by Dow.

Why choose solar?



Learn how solar energy is revolutionizing how we power our homes.

[See more](#)

Solar In Action

Watch the "Louisiana" video to see solar in action.



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Get the latest updates.

Sign up to receive the first news, sale, and product info on the POWERHOUSE™ Solar Shingles.

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Solar power: moving forward by turning the meter backward.



Energy

It's not just a shingle — it's a complete system. DOW POWERHOUSE™ Solar Shingles make it easy to create electricity, while real-time feedback makes it easy to monitor its use.

When the sun's rays hit the POWERHOUSE Solar Shingles, the energy is converted into electricity using the photovoltaic elements of the shingles.

Right next to your fuse box, the inverter converts the power from direct current (DC) into usable alternating current (AC).

Then electricity is fed to your home's appliances or back into the power grid, where credits are stored and applied to your utility bills.

DOW POWERHOUSE™ Solar Shingles power your home and power your life.

Details of the POWERHOUSE Solar Shingles technical specifications will be available in late 2011.

Monitor

Inside your home, POWERHOUSE™ Solar Shingles are reporting back to you. The system monitor provides real-time readouts on the following:

- Your home's average usage.
- The amount of power the roof is providing.
- The history of your roof's entire energy generation.
- Energy consumption vs. production.
- Money saved since installation.



Reduce

As a homeowner, you'll see immediate savings as soon as the POWERHOUSE Solar Shingles are installed.

They'll help reduce the costs of running household appliances.

Plus, excess capacity flows to the grid, which, by law, must be purchased by your utility provider.

Most important, POWERHOUSE Solar Shingles will help to reduce your carbon footprint without impact on your lifestyle.

Why choose solar?



Learn how solar energy is revolutionizing how we power our homes.

[See more](#)

Farming the sun.

See how sunlight can be converted into renewable energy.



[Watch video](#)

Get the latest updates.

Sign up to receive the most up-to-date information about POWERHOUSE Solar Shingles.

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Good-looking and seamless installation.



Simple

The DOW POWERHOUSE™ Solar Shingles don't just look good, installation is seamless and they require no special maintenance.

The shingles mount flush to the roof just like a regular shingle, so their integrated look won't disrupt the roofline of your home.

Unlike traditional solar panels, POWERHOUSE Solar Shingles are installed like conventional asphalt roofing shingles, not housed within heavy, roof-mounted glass panels. That means there's no additional installation steps or secondary installation crews to drive up the cost.

It's a clean, sophisticated look that makes your home more valuable.



Install

The DOW POWERHOUSE Solar Shingle installs just like a typical shingle, because it is one.

Using conventional roofing materials and processes, POWERHOUSE Solar Shingles eliminates on-roof wiring. Solar Shingles are installed by a Dow-Authorized roof professional, improving the installation time and expense.

After that, a certified electrician completes the integration into the home's electrical system.

In no time, your POWERHOUSE Solar Shingles will have turned a depreciating asset— your roof — into a revenue-generating one.

Works just like a roof.



It works just like a roof and can withstand the elements.

[See more](#)

Simple Installation

Owning and installing Solar Shingles has never been easier.



[Watch video](#)

Get the latest updates.

Sign up to receive the latest updates on the POWERHOUSE™ Solar Shingles.

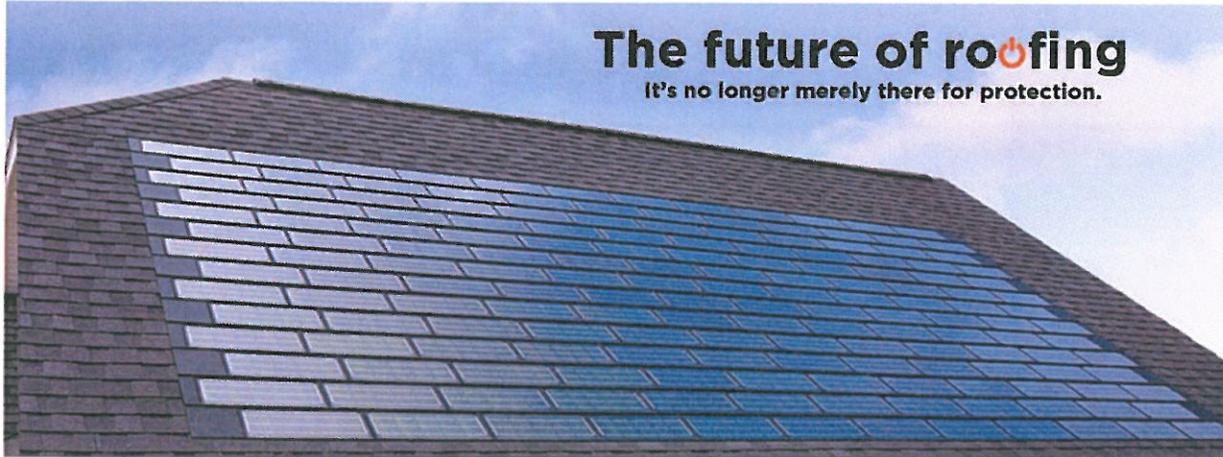
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Revolutionizing the residential solar power industry.



Reinventing the roof

The DOW POWERHOUSE™ Solar Shingle makes it possible for your house to become a self-sustaining, electrical generator using the clean, renewable power of the sun. From now on, your roof is an active part of your home, generating the electricity you need to power your life.

The DOW POWERHOUSE Solar Shingle is installed and performs just like a conventional shingle but with the added benefit of generating electricity to offset your electricity bills.

These systems require the expertise of a POWERHOUSE Authorized Dealer to make sure installation is done safely and in a way that maximizes the functionality of the product.

Need a new roof? Why not make it one that pays for itself?

[Learn more](#)



Complete

POWERHOUSE Solar Shingles are a complete solar solution. Dow offers a total package that makes it easy to create and monitor your electricity.

It includes a custom designed solar array that fits the homeowner's goals and complements the home's style; an inverter that converts the Direct Current (DC) into Alternating Current (AC) to power the home; and a monitoring system that delivers real-time readouts showing how much energy your system is creating and how much your home is using.

Made in the USA, POWERHOUSE Solar Shingles have the safety backing of Underwriters Laboratories (UL); are certified to withstand rain, hail and wind; and is backed by a 20 year warranty.

[Learn more](#)

Neighborly

Once Solar Shingles are mounted to your roof like traditional shingles, the similarities end. On the outside, neighbors see a clean, smart, aesthetically pleasing house. While on the inside, you're making your own electricity.

[Learn more](#)

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[Design to Zero Competition Announces 32 Team Finalists](#)

[U.S. Department of Energy Solar Decathlon 2011 Promotes Design and Building of Energy-Efficient Homes](#)

Solar in action

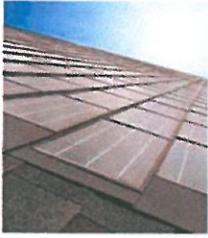
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Frequently Asked Questions

Is my house suited for solar energy?

No special roof preparation is required to install DOW POWERHOUSE™ Solar Shingles.

[Read More](#)

Is there really enough sunshine where I live?

Yes. Germany has more installed solar panels than any other country in the world, and they receive about as much sunshine as Alaska.

[Read More](#) [See more FAQs](#)

In over 160 countries. Represented by over 50,000 employees.



A trusted name in safety and innovation.

Dow has found new ways to harness the sun's energy to power homes across the country. Also so homeowners, like you, can enjoy lower energy bills and decrease your global footprint.

When you choose a product from Dow, you'll enjoy the confidence in knowing that the product was built to last. In fact, when it comes to Dow, you should know:

- Our products have been trusted and recognized in the building industry for more than 60 years.
- Recently, we were ranked 127 in the Global 500 by Fortune magazine.
- Using our rich history and vast experiences, we're creating new technology that will help power the world into the next century.

Committed to new energy.

From our partners to homeowners, you can trust that we're dedicated to the longterm viability of solar as an energy resource. We've worked hard to make the energy of tomorrow available today.

But our commitment to energy doesn't just end with solar power. Here are a few other ways we've helped improve energy efficiency:

- Since 1994, we've spent \$9 billion to improve energy intensity performance.
- Our insulation products, such as STYROFOAM™ Brand insulation, also help consumers become more energy efficient by lowering heating and cooling costs.
- Through our innovations, we've worked hard to avert hundreds of millions of metric tons of CO2 emissions every year*.

*Dow Chemical Company 2009 Annual Report.

Most importantly, as one of the world's largest chemical manufacturers and largest producers of plastics, we have the resources and expertise to make solar attainable.

[Get the latest updates on the DOW POWERHOUSE™ Solar Shingle](#)



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Why choose solar?

Learn how solar energy is revolutionizing how we power our homes.



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[Design to Zero Competition Announces 32 Team Finalists](#)

[U.S. Department of Energy Solar Decathlon 2011 Promotes Design and Building of Energy-Efficient Homes](#)

About Dow

See why we're making a name in the solar industry.



[Learn more](#)

Dow Solar Earns Multiple Safety and Performance Certifications for Its Award-Winning POWERHOUSE™ Solar Shingles

POWERHOUSE™ Receives Several Key Performance and Safety Certifications

Midland, MI — October 17, 2011

The Dow Chemical Company (NYSE: DOW) announced today that DOW POWERHOUSE™ Solar Shingles have received seven certifications for product performance and safety including three Underwriters Laboratories safety certifications for the solar module, fire, and uplift resistance; building code certification from the International Code Council Evaluation Service; International Electrotechnical Commission performance certification; California Energy Commission List of Eligible Equipment certification; and performance certification of ASTM wind uplift resistance.

"These certifications confirm the significant advantage and peace of mind our product offers to homeowners," said Jane Palmieri, Dow Solar Vice President. "The POWERHOUSE™ Solar Shingles are another example of a safe and reliable building solution available today by Dow."

Underwriters Laboratories Certifications

To achieve numerous [Underwriters Laboratories](#) (UL) certifications, Dow Solar and UL worked cooperatively to identify and perform a series of tests to assess the safety of the POWERHOUSE™ Solar Shingles against building code standards, including wind and fire resistance, and electrical code requirements, such as proper wiring and photovoltaic (PV) connections. DOW'S POWERHOUSE™ Solar Shingle passed numerous UL certifications including: the UL 1703 Third Edition which tests for the National Electrical Code and Model Building Codes; the UL 790 Eighth Edition which tests for fire resistance performance; and the UL 1897 Fifth Edition certification which tests for wind uplift of roofing systems. Additionally, all the necessary CEC and IEC testing was completed at UL's San Jose PV Lab in California.



UL is a global independent safety science company offering expertise across five key strategic businesses: Product Safety, Environment, Life & Health, University and Verification Services.

"We're constantly improving our rigorous standards to ensure that UL certified products are safe and reliable," said Jeff Smidt, Vice President and General Manager for UL's Global Energy Business. "Working with Dow on a truly game-changing product that functions as both a roofing and photovoltaic shingle required a unique set of testing disciplines to ensure compliance as both. The collaboration between Dow and UL to define the testing protocols, and ultimately certify the POWERHOUSE™ as a safe, dual functioning roofing solution is a model for our industry."



International Code Council Evaluation Service Certification

The POWERHOUSE™ Solar Shingle has obtained the [International Code Council Evaluation Service](#) (ICC-ES) certification thereby complying with the International Building and International Residential Codes. The ICC-ES certification requires the fire classification, wind resistance and weather resistance certifications.

ICC-ES is a nonprofit, limited liability company that does technical evaluations of building products, components, methods, and materials.

International Electrotechnical Commission Certification

The POWERHOUSE™ Solar Shingles also passed the IEC 61646 Second Edition standard requirements for the design of solar modules in open-air climates. The certification confirms the shingles' ability to withstand prolonged exposure to various climates.

The IEC is the world's leading organization that prepares and publishes International Standards for all electrical, electronic and related technologies.

California Energy Commission Certification

[The CEC](#) also certified the DOW POWERHOUSE™ Solar Shingles to be in compliance with the Guidelines for "California's Solar Electric Incentives Program." The DOW POWERHOUSE™ Solar Shingles are listed as eligible per the California Energy Commission's Senate Bill 1 (SB1) Guidelines.

The California Energy Commission is the state's primary energy policy and planning agency.

ASTM Wind Resistance Certification

The DOW POWERHOUSE™ Solar Shingles also passed [ASTM International's](#) D3161-09 standard which tests for wind resistance of asphalt shingles. The POWERHOUSE Solar Shingles passed the standards set for 110 mph winds.

ASTM International, formerly known as the American Society for Testing and Materials, is a globally recognized leader in the development and delivery of international voluntary consensus standards.

DOW POWERHOUSE™ Solar Shingles

Made in the USA, the POWERHOUSE™ Solar Shingle is a revolutionary new roofing solution that combines the performance and protection of a conventional asphalt roof with an integrated photovoltaic (PV) system that powers the home and saves the homeowner money. It is designed to install, look and function in a way that has never been done before. Behind a strong brand reputation and warranty, Dow is transforming the residential market by making a solar installation as easy as installing an asphalt rooftop – all while maintaining the home's attractiveness.

Just last week, Dow announced that the DOW POWERHOUSE™ Solar Shingle will now be available to homeowners in Colorado.

Visit www.DowSolar.com for more information about the DOW POWERHOUSE™ Solar Shingle.

About DOW POWERHOUSE™

The POWERHOUSE™ Solar Shingle, named one of the "50 Best Inventions of 2009" by TIME magazine, provides an unprecedented integrated roof appearance and simplified installation. It combines a roofing shingle with a solar cell, enabling the DOW POWERHOUSE™ Solar Shingle to be installed by a roofer along with standard asphalt roofing materials. This makes the DOW POWERHOUSE™ Solar Shingle an easy choice for homeowners looking for a residential solar solution that is easy to install and aesthetically pleasing. Building Integrated Photovoltaic (BIPV) products from Dow Solar are evidence that Dow is focused on developing energy alternatives and expanding Dow's commitment to use chemistry to solve the world's energy challenges. More information about Dow Solar can be found at www.dowsolar.com. Homeowners and building professionals can also follow Dow Solar on Facebook (www.facebook.com/DowSolar) and Twitter ([@DowSolar](https://twitter.com/DowSolar)).

About Dow

Dow (NYSE: DOW) combines the power of science and technology with the "Human Element" to passionately innovate what is essential to human progress. The Company connects chemistry and innovation with the principles of sustainability to help address many of the world's most challenging problems such as the need for clean water, renewable energy generation and conservation and increasing agricultural productivity. Dow's diversified industry-leading portfolio of specialty chemical, advanced materials, agrosiences and plastics businesses delivers a broad range of technology-based products and solutions to customers in approximately 160 countries and in high growth sectors such as electronics, water, energy, coatings and agriculture. In 2010, Dow had annual sales of \$53.7 billion and employed approximately 50,000 people worldwide. The Company's more than 5,000 products are manufactured at 188 sites in 35 countries across the globe. References to "Dow" or the "Company" mean The Dow Chemical Company and its consolidated subsidiaries unless otherwise expressly noted. More information about Dow can be found at www.dow.com.

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