

DEVELOPMENT REVIEW COMMITTEE MEMORANDUM

**VILLAGE OF LIBERTYVILLE
COMMUNITY DEVELOPMENT DEPARTMENT
200 EAST COOK AVENUE
LIBERTYVILLE, ILLINOIS 60048-2090**

FROM: PLANNING DIVISION

DATE: June 19, 2025

SUBJECT: Development Review Committee (DRC) Reports for Cases Scheduled for Consideration on **Monday, June 23, 2025**

The DRC Meeting was held on **Monday, May 19, 2025**. DRC members present included:

Heather Rowe	Director of Community Development
Tony Repp	Deputy Director of Community Development
David Smith	Senior Planner
Wil Richardson	Planner
Keith Gronke	Building Division Manager/Building Commissioner
Jeff Cooper	Deputy Director of Public Works/Village Engineer
Harrison Meyer	Senior Project Engineer
Mike Weaver	Director of Fire Prevention

Attached herewith are the DRC Reports for the following cases:

Zoning Board of Appeals

Plan Commission
PC 25-13

CASE NO.: PC 25-13 Preliminary/Final Plat of Subdivision

DATE FILED: May 9, 2025

REQUESTED ACTIONS:

PC 25-13 Request is for a simultaneous submission for a Preliminary and Final Plat of Subdivision for property located in an R-7, Single Family Attached Residential District at 311 North Avenue.

APPLICANT INFORMATION:

Applicants: Ronald and Christine Sachs
Owners: Ronald and Christine Sachs
Agent: Dan Shapiro, Shapiro & Associates
Address: 311 North Avenue

SITE INFORMATION:

Location: The property is commonly known as 311 North Avenue
Current Zoning and Land Use: R-7 Single Family Attached Residential District
Size: The subject site is approximately 15,768 square feet in land area.
Surrounding Zoning:
 North: R-7 Single Family Attached Residential District
 South: I-2 East Downtown Transitional District
 East: R-7 Single Family Attached Residential District
 West: R-7 Single Family Attached Residential District
Land Use Plan: Traditional Residential (TR)
Road Classification: North Avenue is a Village of Libertyville owned and maintained road and classified as a Minor Street.
Physical Characteristics: The subject lot is currently under construction to develop a Single Family Attached building with three dwelling units.

STAFF ANALYSIS:

Background:

The applicants, Ronald and Christine Sachs, are requesting approval for a Preliminary/Final Plat of Subdivision for property located in an R-7, Single Family Attached Residential District at 311 North Avenue.

The subject site is approximately 15,768 square feet in land area. The property is currently under construction to develop a single building structure to contain three (townhome) dwellings.

The three townhome units were permitted by-right in the R-7 zoning district and did not require Plan Commission review. In many cases, developments such as this choose not to complete a plat of subdivision and instead pursue other methods of property division. In this case, the applicant desired a formal subdivision of the property take place.

In coordination with staff, the applicant approached Lake County regarding recording of the subdivision plat without Village approval since the proposed lot configuration is acceptable under Plat Act exemptions listed in the Village’s subdivision code.

However, after the attempted recordation and further discussion with County officials, it was determined that Lake County utilizes only a few Plat Act exemptions and the development would not qualify for recording and approval without Village action. The applicant is now before the Plan Commission to request approval of the subdivision plat to allow future recording of the document.

ENGINEERING DIVISION COMMENTS:

1. A “Draft” Declarations of Covenants, Conditions, and Restrictions (the “Declarations” or similar document) for the subdivision shall be provided for Village staff review and acceptance. The Declaration, in a form acceptable to the Village Engineer, shall be executed by the property owner and recorded with the Lake County Recording Division.
2. The following items shall be modified on the plat and/or addressed in the Declarations (as may be applicable):
 - a. The plat of subdivision document should be clearly titled as such, e.g. “Plat of JJS Subdivision” within the title block of the drawings.
 - b. The last sentence in the language of the Surveyor’s Certificate on Sheet No. 1 shall be revised to read as follows: *“The Federal Emergency Management Agency “FIRM” map Community Panel No. 17097C0162K effective September 18, 2013, indicates that this property is not within a special flood hazard area.”*
 - c. The first sentence of the Stormwater Management Easement Provisions on Sheet No. 1 shall be revised to read as follows (or alternative language approved by the Village Engineer): *“The area of the property designated on this plat as “stormwater management easement,” along with all stormwater conveyance within the property, is subject to the covenants and restrictions in the Stormwater / Drainage Restrictive Covenant recorded as Document 8040247 on June 18, 2024. In accordance with the maintenance plan requirements therein, the owner(s) of each Lot shall be jointly and severally responsible for maintenance of the stormwater management features on the property, including all associated costs.”*
 - d. The first sentence of the Blanket Utility Easement Provisions on Sheet No. 1 should be revised to delete the language *“to the Village of Libertyville”* as there are no facilities within the property that would be owned or maintained by the Village.

- e. The following sentence within the Blanket Utility Easement Provisions on Sheet No. 1:
“The right is also granted to cut down, trim or remove trees, shrubs, or other plants on the easement that interfere with the operation of the utilities.” should be prefaced with the following (or alternative language approved by the Village Engineer):
“Subject to compliance with all applicable regulations and standards,”
- f. Unless a legal determination is made that easement provisions on the plat are permitted to place obligations on Grantees other than Lot owners (as stated in the last sentence of the Blanket Utility Easement Provisions on Sheet No. 1), said sentence should be deleted. Staff anticipates that the obligations of Lot owners would be addressed within the Declarations.
- g. It is recommended that the following Public Service Blanket Easement provisions (or alternative language approved by the Village Engineer) be added to the plat:
“A blanket easement is hereby reserved for and granted in, under, across, along and upon the surface of the property, to the Village of Libertyville (the “Village”) for enforcing within the subdivision all applicable laws, for emergency vehicles of any and all types and personnel servicing emergency conditions in the subdivision, and for any and all other equipment and personnel as may be reasonably required in the performance of the governmental and proprietary functions of the Village related to the subdivision, or other governments and public agencies acting in cooperation with the Village. The Village may transfer to, or exercise jointly with, any other government or public agency the rights granted to the Village in this paragraph.”
- h. Based on observations by staff, the front walks for Lots 1 and 2 were installed separately, each within the limits of its subject lot and connecting separately to the public sidewalk. It appears that the proposed 12’ wide Pedestrian Access Easement may be unnecessary.

STAFF RECOMMENDATION -- PRIOR TO PUBLIC HEARING:

Regarding **PC 25-13**, Staff recommends **APPROVAL** for a Preliminary and Final Plat of Subdivision in order to subdivide a parcel into three lots for property located in an R-7, Single Family Attached Residential District at 311 North Avenue, subject to the following conditions:

That the following comments shall be addressed prior to Village execution of the plat:

- 1. A Declaration of Covenants, Conditions, and Restrictions (or similar document), in a form acceptable to the Village Engineer, shall be executed by the property owner and shall be recorded against all properties within the subdivision.

2. The plat of subdivision shall be revised so that all labels, certificates, and easement provisions are in a form acceptable to the Village Engineer, and the plat shall be fully executed by the property owner.