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MEMORANDUM

September 28, 2010

TO: Lake County Planning, Building and Zoning Committee

FR: Patrick Tierney, Principal Planner
Lake County Department of Planning and Development

RE: Lot 3 & 4, Block 3 in Woodland Meadows Unit 2, Phase One - Warren Township
Plat Amendment to remove pedestrian easement

Woodland Meadows Subdivision consists of several phases platted from 1979 to 1986. The proposed amendment is located in the Final Plat for Unit 2, Phase One involving the vacation of a pedestrian easement located between 17555 and 17565 W. Woodland Drive.

The easement area was originally platted to provide mid-block access for residents of the subdivision to Cottonwood Court which connects with a park located at the end of the street. Because the easement was originally intended to function as a common element, the County restricts property owners affected by the easements from placing fences and similar improvements in the easement so access to the park is not impeded. Over time, it appears that there were errors in interpreting the purpose of the easement (fences and landscaping are permitted in utility easements) and permits were issued for fences. Additionally, the homeowners association never encouraged the use or improved the easements; subsequently, property owners privatized these areas making them unusable for their original purpose. The applicants' have requested the amendment to vacate the easements so that they can continue their landscape practices and apply for fence permits that would otherwise be permitted absent the easement.

A copy of the proposed plat amendment is attached to this report.

Recommendation

Staff recommends that the plat amendment be granted.

Reasons for Recommendation

It is staff's opinion that the vacation of the easement should be granted for the following reasons:

1. The Woodland Meadows Property Owners Association has signed the amendment indicating their approval of the vacation.
2. Vacation of the easement will not have a negative effect on pedestrian circulation in the neighborhood or impede the ability of residents to access the park; at least two access points are available from the sidewalk system on Woodland Drive and Cottonwood Court.
3. The amendment will not create a loss of open space or natural resource protection areas.