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MEMORANDUM

September 4, 2012

TO: Lake County Planning, Building and Zoning Committee

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

RE: Variation Request: Subdivision Assurance Extension

Rockland Woods Subdivision – Libertyville Township
Amount: \$119,679 – Subdivision Improvements
Expiration Date: September 28, 2012

Background:

In 2009 the developer of 3 vacant lots in the Rockland Woods Subdivision and one lot in an adjacent subdivision, received final engineering approval from staff to insure the completion of sanitary sewer, drainage, landscaping and roadway improvements intended to facilitate the future development of the lots.

The developer associated with the project was foreclosed upon by lending institution that sponsored the letter of credit and staff has been working with a representative hired by the bank to complete the remaining items; however, it is unlikely that these improvements will be completed prior to the expiration date of September 28, 2012.

Article 10 of the UDO limits the term of the performance period to a maximum of 3 years at which time all performance items must be completed; therefore, any extension must be approved by the Committee prior to staff accepting an amendment to the assurance that extends the expiration date.

Request:

The bank has verbally requested a variance to extend the performance assurance to November 30, 2012 to complete the performance-related items so the project can move into the maintenance period.

Recommendation:

Staff recommends granting the applicant's variation request and extending the performance period until November 30, 2012 subject to the following conditions being met.

1. Should the performance items not be complete on or before September 21, 2012, staff shall receive an assurance in acceptable form in the amount of \$119,679 with a completion date of

November 16, 2012 and an expiration date of November 30, 2012 in acceptable form.

2. Should condition 1 be met, the Planning, Building and Development Director shall draw on the assurance to complete the remaining improvements.