


MEMORANDUM

February 7, 2012

TO: Lake County Planning, Building and Zoning Committee

FR: Patrick S. Tierney, Principal Planner

Lake County Department of Planning, Building and Development

RE: Plat of Vacation – Wilshire Estates of Ivanhoe – Fremont Township

Background Information:

The Final Plat of Wilshire Estates of Ivanhoe was approved by this Committee in February 2006. Since the subdivision was approved, a portion of the road and drainage improvements were installed but never fully completed. The State Bank who sponsored the letters of credit for the subdivision acquired the title to the property via a deed for foreclosure from the developer. Through this action, The State Bank became responsible for completing the subdivision improvements. In evaluating options to release the assurances, staff informed the bank that either the improvements would need to be complete or the final plat vacated. Subsequently, the bank submitted an application to vacate the subdivision plat.

The Division of Zoning and Development Services circulated the Plat of Vacation to all necessary reviewing authorities, and obtained the consent of all agencies for the vacation, with the exception of the Village of Mundelein, who indicated they would not act on the plat until January 2012. Upon learning this information, a land transaction between the bank and an adjacent property owner, that would transfer title for the subdivision to the property owner, was postponed.

In an effort to assist in expediting the land transaction, staff advised the bank to seek a variance from Article 10 of the Unified Development Ordinance that provided in exchange for the Committee granting a variance to release the assurances, the bank and perspective owner would agree to record a land covenant against the subdivision property. The terms of the covenant precluded development of the subdivision or the sale of any of the lots until the plat of vacation was formally acted on by the Planning, Building and Zoning Committee. This variance was acted on and approved on at the December 6th Committee meeting and the covenant subsequently recorded.

On January 9, 2012 the Village of Mundelein approved the vacation of the plat representing the last item to be addressed relating to the plat prior to action by the Committee.

Upon recordation of the Plat of Vacation, Termination Agreements will also be recorded that will terminate the previous school contribution agreements with Fremont School District 79 and Mundelein High School 120.

Recommendation

Staff is recommending that the Final Plat of the Wilshire Estates of Ivanhoe be vacated and the Plat of Vacation along with the aforementioned Termination Agreements be recorded with the County Recorder.