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MEMORANDUM

November 5, 2013

TO: Lake County Planning, Building and Zoning Committee

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

RE: Variation Request: Subdivision Assurance Extension

Belvidere Estates – Warren Township

Amount: \$275,194 – Subdivision Assurance
\$183,130.87 – Restoration Assurance
Expiration Date: November 30, 2013

Request:

The County is holding two assurances for Belvidere Estates; the subdivision assurance represents the costs associated with the subdivision improvements. The restoration assurance is used to stabilize the site, correct deficiencies deemed a public threat, complete outstanding improvements, and it can be used for maintenance in the event the developer fails to provide a suitable maintenance assurance.

Over the last few years the Committee has granted several extensions to the developer (Capital Homes, Inc.) to afford additional time to overcome the economic downturn. Staff's report in November 2012 indicated that the developer had intended on implementing a new marketing scheme and intended on completing the subdivision improvements in 2013.

Upon a request by the developer, staff conducted an inspection of the subdivision October 17 and determined the majority of the subdivision improvements had been completed. Staff has also received record drawings of the engineered improvements and is in the process of completing their review of those plans. Outstanding subdivision improvements include: installation of street trees and sidewalks on vacant lots, and completing stormwater basin native planting requirements. Staff must also receive a letter from the Warren Township Highway Commissioner formally accepting the street in the subdivision into the Warren Township roadway system. With the exception of those items, staff has indicated they would be willing to go into the maintenance phase for the subdivision improvements for the subdivision.

The developer has submitted a request to release the restoration assurance and reduce the subdivision assurance to cover the balance of the outstanding improvements. He further requests

authorization from the Committee to move into the maintenance phase for the subdivision.

Recommendation:

Staff has evaluated the request from the developer and we support the requested variances to release the restoration assurance and to proceed in to the maintenance period for the subdivision subject to the following conditions being met on or before November 15, 2013.

1. The developer shall obtain approval of the record drawings from staff.
2. The developer shall provide a subdivision assurance for the outstanding improvements in acceptable form in the amount of \$58,180 with an expiration date of November 14, 2014.
3. The developer shall provide a maintenance assurance for the subdivision improvements in acceptable form in the amount of \$90,365 with an expiration date of November 6, 2015.
4. Should the Committee not support the above conditions, staff requests authorization to draw on the assurances in accordance with the provisions of the UDO and the terms of the subdivision and restoration assurances.