PASSED: NOVEMBER 14, 2022

APPROVING A SPECIAL USE PERMIT TO ALLOW THE RESUBDIVISION OF A "TFR" TWO-FAMILY RESIDENTIAL ZONED LOT INTO TWO SINGLE-FAMILY ATTACHED LOTS IN ACCORDANCE WITH ARTICLE 5.03.06 OF THE UNIFIED DEVELOPMENT ORDINANCE AND APPROVAL OF THE FINAL PLAT OF THE MANSKI SUBDIVISION LOCATED 202-204 CHAMBERLAIN DRIVE, DEKALB, ILLINOIS (CHRIS AND LAURA MANSKI).

WHEREAS, the City of DeKalb (the "City") is a home rule unit of local government and may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, Chris and Laura Manski, represented by Mark Doherty, (the "Petitioner"), are the owners of the property located at 202-204 Chamberlain Drive, DeKalb, Illinois (the "Property"), who petitioned the City to approve: (1) a special use permit to allow the resubdivision of a "TFR" Two-Family Residential zoned lot into two (2) Single-Family attached lots; and (2) a Final Plat of Manksi Subdivision (the "Petition"); and

WHEREAS, on November 7, 2022, pursuant to due notice, the City's Planning and Zoning Commission (the "PZC") conducted a public hearing on the Petition, made findings of fact, and recommended approving the Petition; and

WHEREAS, the City's corporate authorities adopt and incorporate by reference the PZC's findings of fact, find that approving the Petition is in the City's best interests for the promotion of the public health, safety and welfare, and specifically find that the proposed special use permit conforms with the applicable factors as follows:

STANDARDS OF A SPECIAL USE – ARTICLE 14.03.05(2) OF THE UNIFIED DEVELOPMENT ORDINANCE ("UDO")

1. The proposed special use complies with all provisions of the applicable district regulations.

The proposed special use will comply with all regulations of the "TFR" Two Family Residential District and the UDO. The proposed resubdivision would create two lots that will meet the 25-foot minimum lot width and the 3,500 square-foot minimum lot size requirements in the "TFR" District. Only one dwelling unit will be located on each lot, and the structure complies with the setback requirements for "TFR" District.

2. The proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or to the public welfare at large.

The proposed special use will not have a detrimental effect on the adjacent properties or land uses. The site has been zoned "TFR" Two-Family Residential since the 1970's. The proposed use is compatible with the residential uses found in the surrounding neighboring and there are other duplexes along Chamberlain Dr. The proposed resubdivision will not have a negative impact on the value of the adjacent properties. Moreover, the proposed special use meets the recommendations of the City's 2022 Comprehensive Plan.

3. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the

immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.

The granting of the special use will not dominate the immediate area and will not prevent development on the neighboring properties. The existing structure is in scale with the surrounding neighborhood, which includes a mix of single-family, two-family, and multi-family residential structures. No changes to the existing structure will result from the approval of the special use permit or the accompanying final plat.

4. Adequate utility, drainage and other such necessary facilities have been or will be provided.

The UDO requires that each dwelling unit must be serviced with its own water line, sanitary sewer line, sump pump line and all other utility lines and extensions. The two-family unit is served by separate water services extending from the water main located along Chamberlain Dr. A separate sanitary line will be added to the second unit.

5. The proposed use, where such developments and uses are deemed consistent with good planning practice, or can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; shall in all other respects conform to the applicable regulations of the district in which it is located; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of the City of DeKalb.

The proposed special use will not be detrimental to the permitted developments and uses on the site or to the surrounding area. It is in the public's interest to provide a variety of housing types to meet the needs of DeKalb's citizens. The approval of the special use permit would positively affect the health, safety and welfare of the citizens of DeKalb as it would allow the ownership and occupancy of each separate unit, which is generally accepted as a having a positive influence on the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEKALB, ILLINOIS:

SECTION 1: The recitals to this Ordinance are true, material, adopted and incorporated herein as Section 1 to this Ordinance.

SECTION 2: This Ordinance is limited and restricted to the Property, which is legally described as follows:

LOT 8 IN SIXTEENTH ADDITION TO BRADT PARK, A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 6, 1975, AS DOCUMENT NO. 389839, IN PLAT BOOK "Q", PAGE 92 IN DEKALB COUNTY, ILLINOIS.

Common Address: 202-204 Chamberlain Drive, DeKalb, IL 60115; and Parcel Identification Number ("PIN"): 08-27-279-034.

SECTION 3: The City's corporate authorities grant the Application and approve: (1) a special use permit to allow the resubdivision of a "TFR" Two-Family Residential zoned lot into two Single-Family attached lots: and (2) the Final Plat of Manksi Subdivision attached hereto and

incorporated herein as Exhibit A (the "Final Plat"), subject to all staff comments being addressed prior to the recording of the Plat.

SECTION 4: The City Manager and his designee are authorized to record this Ordinance in the DeKalb County Clerk and Recorder's Office.

SECTION 5: This Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the City's corporate authorities that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 6: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 14th day of November 2022 and approved by me as Mayor on the same day. Passed on First Reading by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, McAdams, Verbic, Faivre, Barnes. Nay: None. Recuse: Perkins. Second Reading waived by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, McAdams, Verbic, Faivre, Barnes. Nay: None. Recuse: Perkins.

CO

COHEN BARNES, Mayor

ATTEST:

Ruth A. Scott, Executive Assistant

Exhibit A

SCALE 1"=20'

FINAL PLAT OF

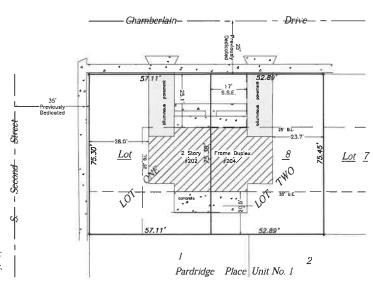
MANSKI SUBDIVISION

LOT B IN SIXTEENTH ADDITION TO BRADT PARK, A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 40 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 6, 1975 AS DOCUMENT NO. 389839, IN PLAT BOOK "Q", PAGE 92, IN DEKALB COUNTY, ILLINOIS.

ADDRESS: 202-204 CHAMBERLAIN DRIVE, DEKALB, IL P.I.N. 08-27-279-034

STATE OF ILLINOIS COUNTY OF DEKALB) THIS IS TO CERTIFY THAT THE ATTACHED PLAT WAS APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS ON THIS __DAY OF _______, 202_.. MAX MAXWELL CHAIRMAN OF THE PLANNING AND ZONING COMMISSION STATE OF ILLINOIS COUNTY OF DEKALB) THIS IS TO CERTIFY THAT THE ATTACHED PLAT WAS APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS ON THIS ______ DAY OF _________, 202_. ATTEST: COHEN BARNES MAYOR RUTH SCOTT EXECUTIVE ASSISTANT STATE OF ILLINOIS COUNTY OF DEKALB I, DOUGLAS J JOHNSON, COUNTY CLERK IN AND FOR DEKALB COUNTY, IN THE STATE OF ILLINOIS, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE RECORDS AND HAVE FOUND NO DELINOUPIN GENERAL TAXES, NO UNPAID CURRENT GENERAL TAXES, NO DELINOUENT SPECIAL ASSESSMENTS OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST THE TRACT OF LAND DESCRIBED AND PLATTED HEREON THIS DAY OF _______, 202_. DOUGLAS J JOHNSON COUNTY CLERK STATE OF ILLINOIS)55 COUNTY OF DEKALB THIS PLAT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DEKALB COUNTY, AFORESAID ON THIS _____ DAY OF ____ AT _____ O'CLOCK ___.M. AND RECORDED IN PLAT CABINET_ ____, AS DOCUMENT NO. AT SLIDE NO. DOUGLAS J JOHNSON COUNTY RECORDER STATE OF ILLINOIS COUNTY OF DEKALB THIS IS TO CERTIFY THAT CHRISTOPHER R. MANSKI AND LAURA F. MANSKI ARE THE OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE. AND HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVINGED AS SHOWN ON THE ATTACHED PLAT FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ADOPT THE SAME UNDER THE STYLE AND THE OF "MANSKI SUBDIVISION" IN THE CITY OF DEKALB, DEKALB COUNTY, ILLINOS AND TO THE BOT OF THEIR KNOWLEDGE AND BELIEF SAD PROPERTY IS WITHIN DEFALB COMMUNITY SCHOOL. DISTRICT #428. DATED AT DEKALB, ILLINOIS, THIS _____ DAY OF ___ CHIRSTOPHER R. MANSKI LAURA F. MANSKI COUNTY OF DEKALB I, AFORESAID, DO HEREBY CERTIFY THAT CHRISTOPPIER R. MAINSKI AND LAURA F. MAINSKI WHO ARE PERSONALLY KNOWN TO ME TO BE THE PERSONIS WHOSE NAMES ARE SUSSCRIBED IN THE FOREGOING CERTIFICATE, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THE EXECUTION OF THE ANNEXED PLAT AND ACCOMPANYING INSTRUMENT FOR THE USES AND PURPOSES THEREIN SET PORTH AS THEM OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT AND GIVEN MY HAND AND NOTARIAL SEAL THIS ____DAY OF NOTARY PUBLIC

A PERMANENT EXCLUSIVE EASEMENT IS GRANTED TO THE OWNER OF 202 CHAMBERLAIN DRIVE AND THEIR SUCCESSORS FOR THE INSTILLATION, CONSTRUCTION, MAINTENANCE, SERVICE AND REPAIRS/REFUCEMENT OF A SINGLE UNDERGROUND SANTIARY SERVICE LINE AND APPROPRIATE APPURIENANCES. RIGHTS SHALL INCLUSE PERFEITO CONCEVANCE OF SANTIARY WASTE THROUGH THE LINE AND REASONMELE ACCESS THERETO WITHIN THE PROPERTY KNOWN AS 202 CHAMBERLAIN. THE OWNER OF THE PROPERTY KNOWN AS 202 CHAMBERLAIN THE OWNER OF THE PROPERTY KNOWN AS 202 CHAMBERLAIN THE OWNER OF THE PROPERTY KNOWN AS 202 CHAMBERLAIN SHALL BE SOLELY RESPONSIBLE FOR ALL MAINTENANCE/SERVICE/REPAIR PROPERTY KNOWN AS 202 CHAMBERLAIN SHALL BE SOLELY OF GROUNDS AND FACILITIES MAPACIED, RELATED TO SAD UNDERGRAIN SHALL BE SOLELY OF GROUNDS AND FACILITIES MAPACIED, RELATED TO SAD UNDERGROUND FULL RESTORATION OF GROUNDS AND FACILITIES MAPACIED, RELATED TO SAD UNDERGROUND SHALL BESTORATION OF GROUNDS AND FACILITIES MAPACIED, RELATED TO SAD UNDERGROUND SHALL BESTORATION OF GROUNDS AND FACILITIES MAPACIED, RELATED TO SAD UNDERGROUND SHALL BESTORATION OF GROUNDS AND FACILITIES MAPACIED, RELATED TO SAD UNDERGROUND SHALL BESTORATION OF GROUNDS AND FACILITIES MAPACIED, RELATED TO SAD UNDERGROUND SHALL BESTORATION OF GROUNDS AND FACILITIES MAPACIED, RELATED TO SAD UNDERGROUND SHALL BESTORATION OF GROUNDS AND FACILITIES MAPACIED, RELATED TO SAD UNDERGROUND SHALL BESTORATION OF GROUNDS AND FACILITIES MAPACIED, RELATED TO SAD UNDERGROUND SHALL BESTORATION OF GROUNDS AND FACILITIES MAPACIED, RELATED TO SAD UNDERGROUND SHALL BE SAD THE SAME TH



THIS PROPERTY IS SUBJECT TO A DECLARATION OF CROSS EASEMENTS
RECORDED WITH THIS PLAT ON THIS DAY OF 2022
AS DOCUMENT NO SAID DECLARATION REQULATES ALL
COMMON WALL CONSTRUCTION AND MAINTENANCE OF COMMON VITLITY
SERVICES, ONLY COMMON WALL CONSTRUCTION MAY OCCUR ALONG THE
PROPERTY LINES BETWEEN LOTS 1 AND 5

AREA SUMMARY

LOT ONE = 4,302 SQ. FT. LOT TWO = 3.989 SQ. FT.

=LEGEND==--Deundary of property surveyed Found iron pipe Set iron pipe Building line Utility easement Sanitary sewer easement

STATE OF ILLINOIS)SS COUNTY OF DEKALB)

THIS IS TO CERTIFY THAT I LESUE AARON DOOGS, ILLINOIS PROFESSIONAL LAND SUPVEYOR NO. 3833, HAVE SURVEYED AND RESUBDINIONED LOT B IN SUFTERHIH ADDITION TO BRADT PARK, A SUBDIVISION OF PART OF THE NORTH-EAST CHARTER OF SECTION 27, TOWNSHIP 40 NORTH, RANCE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 6, 1975 AS DOCUMENT NO. 38939, IN PLAT BOOK "O", PAGE 92, IN DEVALD COUNTY, ILLINOIS IN FURTHER CERTIFY THAT THE ATTACHED PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY, ALL DISTANCES SHOWN IN REET AND DECOMAS THEREOF, THAT THE PROPERTY HEREON DESCRIBED IS WITHIN THE CITY OF DEKALB, DEKALB COUNTY, ILLINOIS AND THAT SAID PROPERTY IS LOCATED IN FLODO ZONE "X", AREA OF MINIMAL FLODOING, AS SET FORTH ON FLODO MISURANCE RATE MAP NO. 17037C0242E, HAVING AN EFFECTIVE DATE OF JANUARY 2, 2009.

DATED AT DEKALB, ILLINOIS, THIS 15TH DAY OF NOVEMBER, 2022

LESLIE AARON DOOGS ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3833 LICENSE EXPIRATION DATE: NOVEMBER 30TH, 2022

JADE Hanna Surveyors 155 N 3rd Street Dekalb, IL 60115 (815) 756–2189 Info@Hannasurveyors.com License No. 184006622

FOR: DOHERTY LAW FIRM JOB NO. 16637



DOUGLAS J. JOHNSON RECORDER - DEKALB COUNTY, IL

RECORDED: 11/18/2022 01:42 PM

REC FEE: 55.00

STATE OF ILLINOIS)
COUNTY OF DEKALB) SS
CITY OF DEKALB)

PAGES: 5

CERTIFICATION

I, **RUTH A. SCOTT**, am the duly qualified and appointed Executive Assistant of the City of DeKalb, DeKalb County, Illinois, as authorized by Local Ordinance 2019-059, and as such Executive Assistant, I maintain and am safe-keeper of the records and files of the Mayor and City Council of said City.

I do hereby certify that the attached hereto is a true and correct copy of:

ORDINANCE 2022-066

APPROVING A SPECIAL USE PERMIT TO ALLOW THE RESUBDIVISION OF A "TFR" TWO-FAMILY RESIDENTIAL ZONED LOT INTO TWO SINGLE-FAMILY ATTACHED LOTS IN ACCORDANCE WITH ARTICLE 5.03.06 OF THE UNIFIED DEVELOPMENT ORDINANCE AND APPROVAL OF THE FINAL PLAT OF THE MANSKI SUBDIVISION LOCATED 202-204 CHAMBERLAIN DRIVE, DEKALB, ILLINOIS (CHRIS AND LAURA MANSKI).

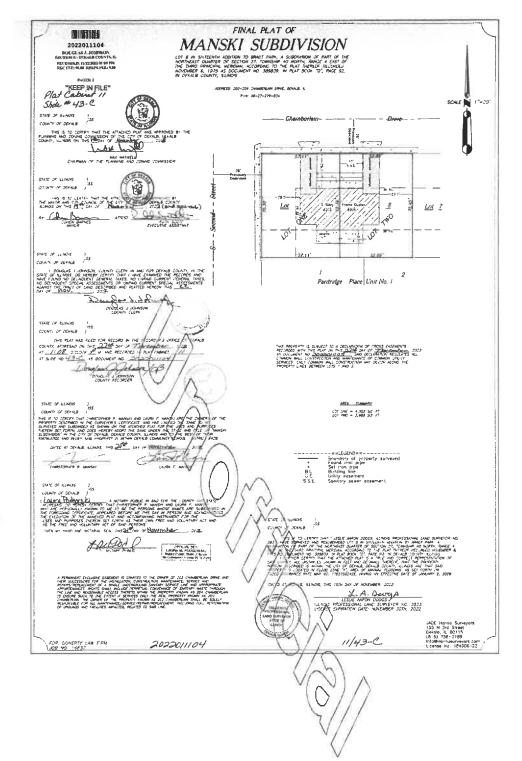
PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 14th day of November 2022.

WITNESS my hand and the official seal of said City this 18th day of November 2022.

RUTH A. SCOTT, Executive Assistant

Prepared by and Return to:

City of DeKalb City Manager's Office Attention: Ruth A. Scott 164 E. Lincoln Highway DeKalb, Illinois 60115



Recorded 11-22-2022 as document 3022011104

2020011104

JADE Hanna Surveyors

155 N. 3rd St. DeKalb, IL 60115 Phone: 815-756-2189 Fax: 815-748-2532 Email: info@hannasurveyors.com "KEEP IN FILE"

2022011104

Plat Catrut 11

Slide # 43-C

DeKalb County Recorder 110 E Sycamore Rd Sycamore, IL 60178

I, Leslie Aaron Doogs, Illinois Professional Land Surveyor No. 3833 and owner of JADE Hanna Surveyors, provider of the Subdivision Plat for "Manski Subdivision" at 202-204 Chamberlain Dr. DeKalb, IL. hereby authorize Laura Podgorski, Legal Assistant with Doherty Law Firm, whose business address is 125 N. 1st St. DeKalb, IL. to present the above plat for recording.

Witness my hand and seal at DeKalb, IL., this 17th day of November 2022.

Leslie Aaron Doogs

Illinois Professional Land Surveyor No. 3833

035-003833
PROFESSIONAL
LAND SURVEYOR
STATE OF
ILLINOIS