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**MEMORANDUM**

**To:** Manager Greg Jackson

**From:** Natalie Benner, Management Analyst

**Topic:** 6881 September Blvd CSCC Case

**Date:** 12/2/2022

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**Recommendation:** Approval of the submitted landscaping plan for 6881 September Blvd. The landscaping plan is attached. 6881 RFD must restore and maintain the conservancy zone as dictated by their plat of survey.

**Background:** This issue has a complicated history. This conservancy issue began when 6881RFD was cited for work without a permit in 2020. The homeowner attempted to remediate flooding in his backyard by filling and regrading his property. This property plat has a significant portion of this property designed as a low-lying conservancy. This conservancy zone is indicated on the plat of survey for the property, and it is easily read on the subdivision plat for Lake Eleanora Estates (attached). The subdivision plat specifically states:

“Lots 4, 36, and 40 contain a large portion of wetland conservative soils, and the size of the homes placed on said lots would be restricted to 2, possibly 3 bedrooms at the most. It is also possible to find small portions of the unsuitable soil in areas above the lines notes on the adjoining plat that would require fill as approved by the Lake County Health Department, particularly lot 36.”

Before A. Dekhtyar owned this property, the large conservancy area was filled and topped with grass. Due to the destruction of the conservancy by previous owners Mr. Dekhtyar’s yard turns into a lake when there are significant amounts of rainfall. Mr. Dekhtyar in an attempt to remediate the stormwater flooding was filling in the low-lying areas of his property when he received a notice of violation from GHA for illegally adding fill to the property without a permit.

The CSCC heard Mr. Dekhtyar’s case in June 2022 and December 2020. He was petitioning to relocate the stormwater basin and regrade his lot. He believes that regrading his lot, adding in a stormwater basin, and implementing some pumping stations and drainage would improve the flooding. Mr. Dekhtyar believes that the cost of restoring the conservancy will be an undue burden and that restoring the low-lying wetland will not be successful. However, the CSCC decision has been consistent. The site needs to be returned to the original use of a conservancy district as demonstrated by the subdivision plat and the homeowner’s plat of survey. There is both conservancy that needs to be restored and a scenic corridor that must be maintained.

The September meeting of the CSCC made the following motion:

**Motion:** A motion was made to approve conditionally upon the applicant's submittal of revised plans incorporating native plantings according to the conservancy easement



standards to be reviewed and approved by the village staff and the CSCC chair before presenting to the Village Board for consideration.

Motion to approve by Faust, seconded by Seitz.

**Ayes:** Burger, Faust, Michaud, Seitz

**Nays:** None

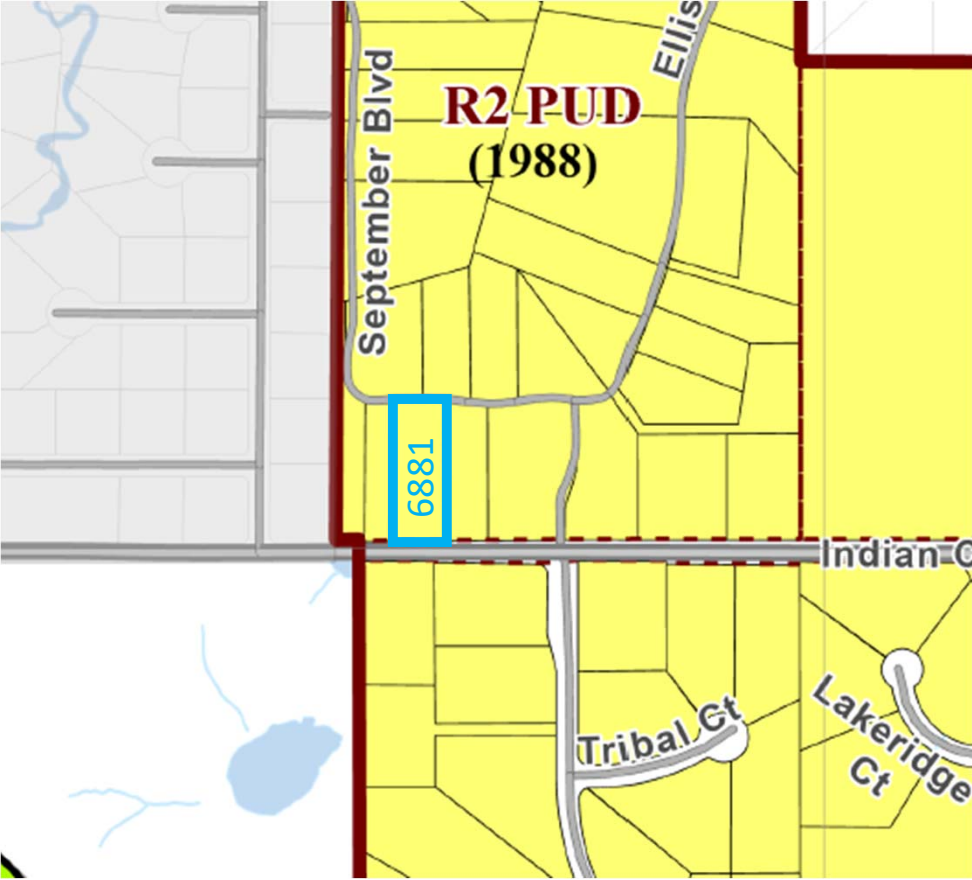
**Absent:** McCasey

**Respectfully submitted,**  
Natalie Benner

Botanic Name	Common Name	Rate (oz/ac)
Grasses/Sedges/Rushes		
<i>Bouteloua curtipendula</i>	Side-Oats Grama	16
<i>Carex stipata</i>	Common Fox Sedge	4
<i>Carex vulpinoidea</i>	Brown Fox Sedge	4
<i>Elymus canadensis</i>	Canada Wild Rye	32
<i>Elymus riparius</i>	Riverbank Wild Rye	16
<i>Elymus virginicus</i>	Virginia Wild Rye	16
<i>Glyceria striata</i>	Fowl Manna Grass	4
<i>Panicum virgatum</i>	Switchgrass	8
<i>Schizachyrium scoparium</i>	Little Bluestem	36
<i>Spartina pectinata</i>	Prairie Cordgrass	4
Forbs		
<i>Actinomeris alternifolia</i>	Wingstem	4
<i>Asclepias incarnata</i>	Swamp Milkweed	4
<i>Asclepias tuberosa</i>	Butterfly Weed	2
<i>Boehmeria cylindrica</i>	False Nettle	2
<i>Coreopsis lanceolata</i>	Sand Coreopsis	5
<i>Coreopsis palmata</i>	Prairie Coreopsis	1
<i>Dalea candida</i>	White Prairie Clover	1.5
<i>Dalea purpurea</i>	Purple Prairie Clover	1.5
<i>Echinacea purpurea</i>	Broad-Leaved Purple Coneflo	8
<i>Eryngium yuccifolium</i>	Rattlesnake Master	2
<i>Eupatorium perfoliatum</i>	Common Boneset	4
<i>Helenium autumnale</i>	Sneezeweed	4
<i>Helianthus grosseserratus</i>	Sawtooth Sunflower	2
<i>Liatris aspera</i>	Rough Blazing Star	0.5
<i>Lobelia siphilitica</i>	Great Blue Lobelia	2
<i>Lupinus perennis v. occidentalis</i>	Wild Lupine	4
<i>Lycopus americanus</i>	Common Water Horehound	2
<i>Lythrum alatum</i>	Winged Loosestrife	2
<i>Monarda fistulosa</i>	Wild Bergamot	0.5
<i>Penstemon digitalis</i>	Foxglove Beard Tongue	0.5
<i>Penthorum sedoides</i>	Ditch Stonecrop	2
<i>Pycnanthemum virginianum</i>	Common Mountain Mint	2
<i>Ratibida pinnata</i>	Yellow Coneflower	4
<i>Rudbeckia hirta</i>	Black-Eyed Susan	5
<i>Rudbeckia laciniata</i>	Wild Golden Glow	4
<i>Solidago graminifolia</i>	Grass-Leaved Goldenrod	4
<i>Symphyotrichum ericoides</i>	Heath Aster	0.25
<i>Symphyotrichum laeve</i>	Smooth Blue Aster	1
<i>Symphyotrichum lateriflorum</i>	Side-Flowering Aster	2
<i>Symphyotrichum novae-angliae</i>	New England Aster	2
<i>Tradescantia ohiensis</i>	Common Spiderwort	1
<i>Verbena hastata</i>	Blue Vervain	4

**6881 September Blvd Conservancy  
Restoration planting list**

# Location Map



6881 September Boulevard – Flood Overflow and Movement of Flood Water

# Aerial



6881 September Boulevard – Flood Overflow and Movement of Flood Water

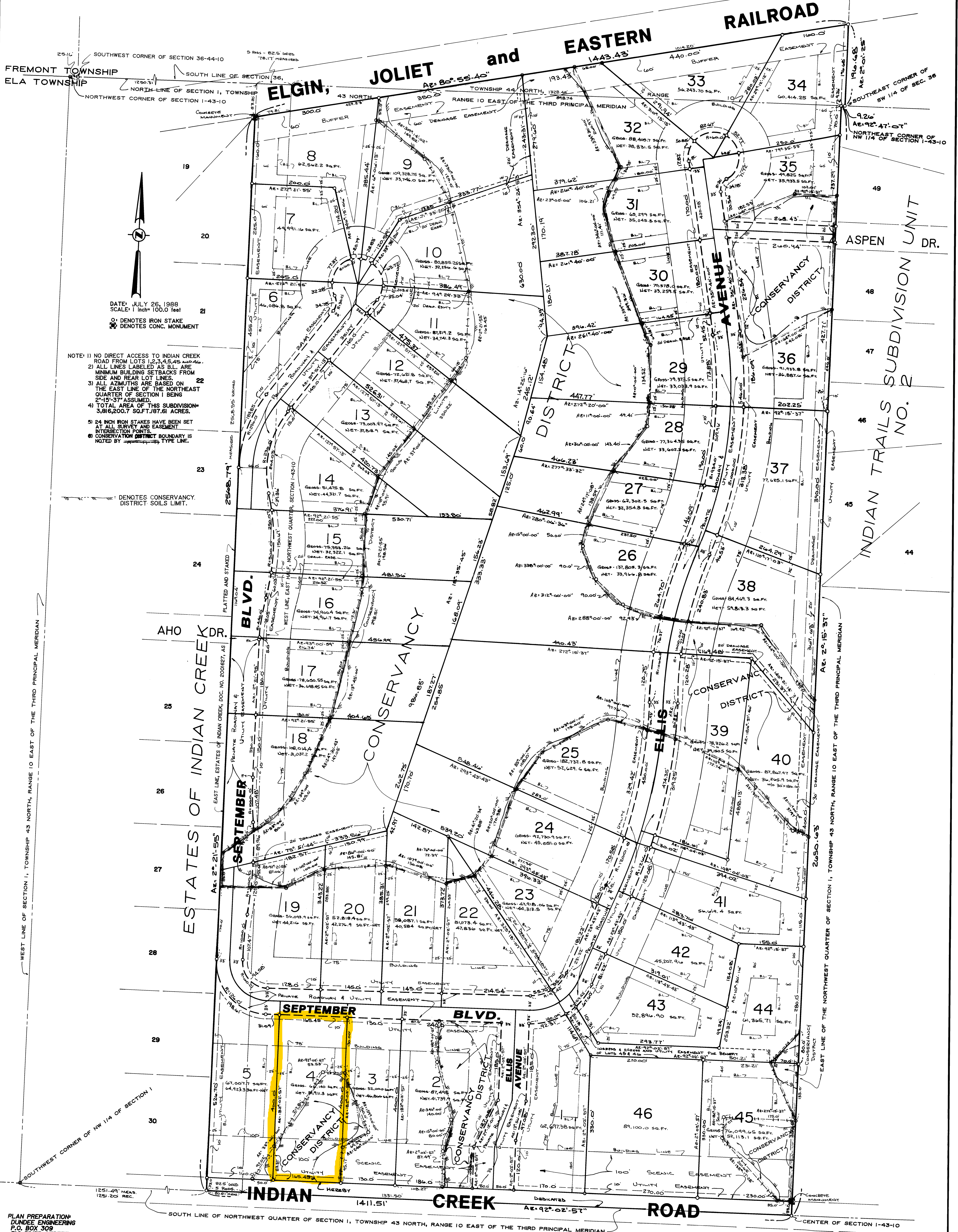
# FINAL PLAT LAKE ELEANORA ESTATES

2750338

12-19-88

ELA TOWNSHIP  
FREMONT TOWNSHIP

BEING A SUBDIVISION OF PART OF SECTION 1, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND BEING A SUBDIVISION OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN LAKE COUNTY, ILLINOIS.



DATE: JULY 26, 1988  
SCALE: 1 inch = 100.0 feet

○ DENOTES IRON STAKE  
■ DENOTES CONC. MONUMENT

- NOTE: 1) NO DIRECT ACCESS TO INDIAN CREEK ROAD FROM LOTS 1, 2, 3, 4, 5, 44, AND 45.
- 2) ALL LINES LABELED AS B.L. ARE MINIMUM BUILDING SETBACKS FROM SIDE AND REAR LOT LINES.
- 3) ALL AZIMUTHS ARE BASED ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 1 BEING 2°15'37" ASSUMED.
- 4) TOTAL AREA OF THIS SUBDIVISION = 3,816,200.7 SQ.FT./87.61 ACRES.
- 5) 24 INCH IRON STAKES HAVE BEEN SET AT ALL SURVEY AND EASEMENT INTERSECTION POINTS.
- 6) CONSERVANCY DISTRICT BOUNDARY IS NOTED BY TYPE LINE.

○ DENOTES CONSERVANCY DISTRICT SOILS LIMIT.

751338  
2750338  
12-19-88

# FINAL PLAT LAKE ELEANORA ESTATES

ELA TOWNSHIP  
FREMONT TOWNSHIP

BEING A SUBDIVISION OF PART OF SECTION 1, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN; AND SECTION 36, TOWNSHIP 44 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN LAKE COUNTY, ILLINOIS.

### EASEMENT PROVISIONS

A NON-EXCLUSIVE EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, COMMUNICATION, SEWER, WATER, GAS AND DRAINAGE SERVICE IS HEREBY RESERVED FOR AND GRANTED TO:  
THE VILLAGE OF LONG GROVE, OTHER GOVERNMENTAL AUTHORITIES HAVING JURISDICTION OVER THE LAND SUBDIVIDED HEREON AND THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISE FROM THE VILLAGE OF LONG GROVE, INCLUDING, BUT NOT LIMITED TO COMMONWEALTH EDISON COMPANY, ILLINOIS BELL TELEPHONE COMPANY AND NORTH SHORE GAS COMPANY,

THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, TO INSTALL, OPERATE, MAINTAIN AND REMOVE, FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND SIGNALS IN, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DOTTED LINES ON THE PLAT AND MARKED "EASEMENT", AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS, TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS UNDER THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS THEREON, THE RIGHT TO CUT TRIM OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEES' FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE DOTTED LINES MARKED "EASEMENT" WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

THE AREAS DESIGNATED AS CONSERVANCY DISTRICT SHALL REMAIN AS A NATURAL WILDLIFE PRESERVE.

ALL AREAS ON THIS PLAT DESIGNATED CONSERVANCY DISTRICT, SCENIC EASEMENT OR BUFFER EASEMENT SHALL BE MAINTAINED IN THEIR NATURAL, UNDISTURBED CONDITION, WITH NO MAN MADE STRUCTURES OF ANY KIND.

LOTS 4, 36 AND 40 CONTAIN A LARGE PORTION OF WETLAND CONSERVATIVE SOILS AND THE SIZE OF THE HOMES PLACE ON SAID LOTS WOULD BE RESTRICTED TO 2 POSSIBLY 3 BEDROOMS AT THE MOST. IT IS ALSO POSSIBLE TO FIND SMALL PORTIONS OF THE UNSUITABLE SOIL IN AREAS ABOVE THE LINES NOTED ON THE ADJOINING PLAT THAT WOULD REQUIRE FILL AS APPROVED BY THE LAKE COUNTY HEALTH DEPARTMENT, PARTICULARLY LOT 36.

STATE OF ILLINOIS  
COUNTY OF KANE ss

THIS IS TO CERTIFY THAT I, JOHN WHITEHOUSE, REGISTERED ILLINOIS LAND SURVEYOR, HAVE SURVEYED, SUBDIVIDED AND PLATTED AT THE REQUEST OF THE OWNERS THEREOF, THAT PART OF SECTION 1, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THAT PART OF SECTION 36, TOWNSHIP 44 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:  
THE EAST HALF OF LOTS 1 AND 2 AND THE EAST 5 RODS OF THE WEST HALF OF SAID LOTS 1 AND 2, IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 43 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THAT PART THEREOF CONVEYED TO WAUKEGAN AND SOUTHWESTERN RAILWAY COMPANY, NOW ELGIN, JOLIET, AND EASTERN RAILWAY BY DEED DATED AUGUST 6, 1880 AND RECORDED SEPTEMBER 17, 1889 AS DOCUMENT 40466); ALSO,  
THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 44 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF THE ELGIN, JOLIET AND EASTERN RAILWAY, ALL IN LAKE COUNTY, ILLINOIS.

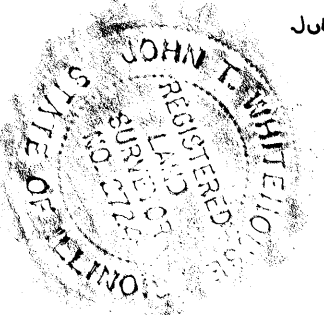
I FURTHER CERTIFY THAT THE PLAT HEREON DRAWN IS A CORRECT AND ACCURATE REPRESENTATION OF SAID SURVEY AND SUBDIVISION. ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. ALL COURSES ARE DESCRIBED AS AZIMUTHS.

I FURTHER CERTIFY THAT NO PART OF THE PROPERTY COVERED BY THIS PLAT OF SUBDIVISION IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

I FURTHER CERTIFY THAT I HAVE SET ALL SUBDIVISION MONUMENTS AND DESCRIBED THEM ON THIS FINAL PLAT AS REQUIRED BY THE PLAT ACT (ILLINOIS REVISED STATUTES 1977, CHAPTER 109, SECTION 1).  
I FURTHER CERTIFY THAT THIS PLAT OF SUBDIVISION LIES WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF LONG GROVE.

GIVEN UNDER MY HAND AND SEAL AT DUNDEE, ILLINOIS THIS 26th DAY OF July, 1988 A.D.

*John T. Whitehouse*  
JOHN T. WHITEHOUSE TRLS NO. 35-2724



STATE OF ILLINOIS  
COUNTY OF LAKE ss

APPROVED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF LONG GROVE, ILLINOIS THIS 13TH DAY OF DECEMBER, 1988

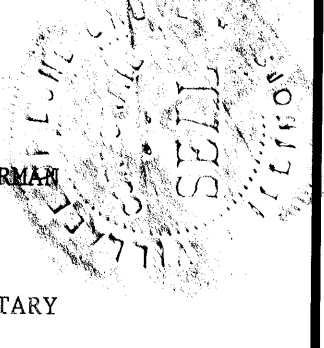
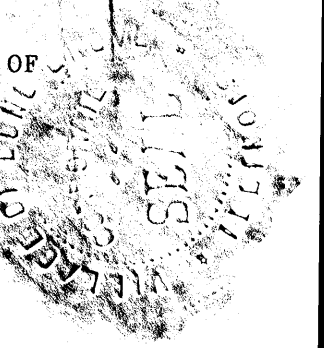
ATTEST: *[Signature]* VILLAGE CLERK

STATE OF ILLINOIS  
COUNTY OF LAKE ss

THIS IS TO CERTIFY THAT THE MEMBERS OF THE PLAN COMMISSION OF THE VILLAGE OF LONG GROVE HAVE REVIEWED AND APPROVED THE ABOVE PLAT.

DATED THIS 15th DAY OF NOVEMBER, 1988

ATTEST: *[Signature]* SECRETARY

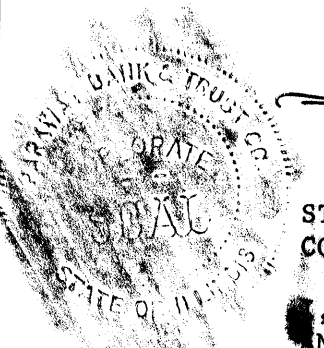


STATE OF ILLINOIS  
COUNTY OF COOK ss PARKWAY BANK AND TRUST COMPANY

THIS IS TO CERTIFY THAT THE PARKWAY BANK AND TRUST CO., AS TRUSTEE UNDER A TRUST AGREEMENT KNOWN AS TRUST NO. 79044, DATED AUGUST 7, 1986, AND NOT INDIVIDUALLY, IS THE OWNER OF THE PROPERTY DESCRIBED HEREIN AND THAT SAID BANK HAS CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED, AND PLATTED AS SHOWN HEREON FOR THE USES AND PURPOSES HEREIN SET FORTH AS ALLOWED AND PROVIDED FOR BY STATUTE, AND SAID BANK AS TRUSTEE, AND NOT INDIVIDUALLY, HEREBY ACKNOWLEDGES AND ADOPTS THE SAME UNDER STYLE AND TITLE AFORESAID.

DATED AT COOK, ILLINOIS, THIS 24th DAY OF DECEMBER, 1988.

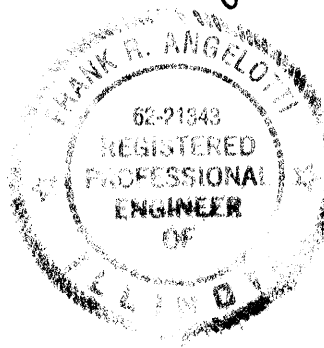
*[Signature]* SERVICE PRESIDENT TRUST OFFICER  
*[Signature]* ASST. VICE PRESIDENT TRUST OFFICER



### DRAINAGE CERTIFICATE

WE HEREBY CERTIFY TO THE BEST OF OUR KNOWLEDGE THAT ADEQUATE PROVISIONS HAVE BEEN MADE FOR THE DIVERSION AND RETENTION OF SURFACE WATERS INTO PUBLIC AREAS OR DRAINS WITHIN THE RIGHTS OF THE SUBDIVIDER, AND THAT SURFACE WATERS WILL NOT BE DEPOSITED ON ADJACENT LAND OWNERS PROPERTY IN SUCH CONCENTRATION AS MAY CAUSE DAMAGE BY EROSION OR SEDIMENTATION TO SUCH PROPERTY BECAUSE OF THE CONSTRUCTION OF THIS SUBDIVISION.

*Frank R. Ongelt* *Mark W. [Signature]*  
ILL. REG. PROF. ENG. TR. 21343 ORDER-AGENT

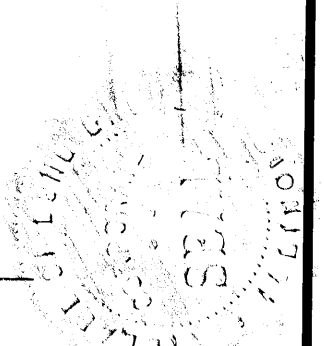


STATE OF ILLINOIS  
COUNTY OF LAKE ss

I, D. M. DOUGHTY, VILLAGE COLLECTOR OF THE VILLAGE OF LONG GROVE, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE LAND INCLUDED IN THE PLAT.

DATED AT LONG GROVE, LAKE COUNTY, ILLINOIS THIS 12th DAY OF DECEMBER, 1988

*[Signature]*  
VILLAGE COLLECTOR

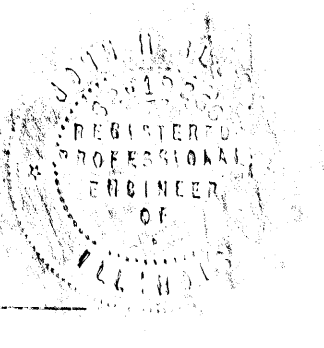


STATE OF ILLINOIS  
COUNTY OF LAKE ss

THIS IS TO CERTIFY THAT THE VILLAGE ENGINEER OF THE VILLAGE OF LONG GROVE HAS REVIEWED AND APPROVED THE ABOVE PLAT.

DATED THIS 19th DAY OF DECEMBER, 1988

*[Signature]*  
VILLAGE ENGINEER



STATE OF ILLINOIS  
COUNTY OF COOK ss

I, THE NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT *[Signature]* AND *[Signature]*, PERSONALLY KNOWN TO ME TO BE THE OFFICERS OF THE PARKWAY BANK AND TRUST CO. AS SHOWN ABOVE, APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THAT AS SUCH OFFICERS, THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AND CAUSED THE CORPORATE SEAL TO BE AFFIXED THEREON AS THEIR FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID BANK AS TRUSTEE UNDER TRUST NO. 79044 FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS 24th DAY OF DECEMBER, 1988.

*[Signature]* NOTARY PUBLIC



STATE OF ILLINOIS  
COUNTY OF LAKE ss

THIS IS TO CERTIFY THAT I, Linda Januzi Hess, COUNTY CLERK FOR THE COUNTY AND STATE AFORESAID, FIND NO REDEEMABLE TAX SALES, UNPAID TAXES OR UNPAID CURRENT TAXES AGAINST ANY OF THE REAL ESTATE INCLUDED IN THE ABOVE PLAT.

I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE ANNEXED PLAT.

GIVEN UNDER MY HAND AND SEAL IN WAUKEGAN, ILLINOIS THIS 19th DAY OF DECEMBER, 1988.

*Linda Januzi Hess*  
COUNTY CLERK



2750338

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