

MINUTES
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, Room 209 and 210
YORKVILLE, IL 60560
April 30, 2018 – 7:00 p.m.

CALL TO ORDER

Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:07 p.m.

ROLL CALL

Members Present: Karen Clementi, Tom LeCuyer, Randy Mohr, Dick Thompson, and One Vacancy

Members Absent: Scott Cherry and Dick Whitfield

Staff Present: Matthew Asselmeier, AICP, Senior Planner

Public: Robert Davidson and Ramon Martinez

MINUTES

Ms. Clementi, seconded by Mr. Thompson, moved to approve the April 2, 2018, meeting minutes. With a voice vote of all eyes, the motion was approved.

PETITIONS

18 – 03 – Kendall County Planning, Building and Zoning Committee

Request: Text Amendments to Sections 4.17.H, 7.01.D.53.b.vi, 8.08.B.2.h, 10.01.C.27.b.vi, 11.02.C, 11.02.D, 11.04, 11.04.A, 13.01.C, 13.07.B, 13.07.C and 13.08.C of the Kendall County Zoning Ordinance by Removing the Requirements for the Zoning, Platting and Advisory Committee and the Kendall County Regional Planning Commission to Meet and Issue Recommendations on Proposed Map Amendments, Special Use Permits, Major Amendments to Special Use Permits, and Text Amendments on Matters Not Involving the Powers and Duties of the Zoning, Platting and Advisory Committee or the Kendall County Regional Planning Commission and Related Zoning Text Citation Amendments

Purpose: Text Amendments Remove the Requirements for the Zoning, Platting and Advisory Committee and the Kendall County Regional Planning Commission to Meet and Issue Recommendations on Proposed Map Amendments, Special Use Permits, Major Amendments to Special Use Permits, and Text Amendments on Matters Not Involving the Powers and Duties of the Zoning, Platting and Advisory Committee or the Kendall County Regional Planning Commission and Related Zoning Text Citation Amendments. Individual Members May Still Submit Comments on These Types of Proposals

Mr. Asselmeier reported that proposal was sent back to the Planning, Building and Zoning Committee at the request of the Kendall County Regional Planning Commission and Comprehensive Land Plan and Ordinance Committee.

Chairman Mohr asked about the authority of the Comprehensive Land Plan and Ordinance Committee in requesting a layover. Mr. Asselmeier said that the Comprehensive Land Plan and Ordinance Committee is not part of the adoption process.

Discussion occurred regarding initiating a public hearing, recessing a public hearing, and then receiving comments from applicable municipalities and townships.

This matter will be laid over until after the May Planning, Building and Zoning Committee.

The Zoning Board of Appeals started their review of Petition 18-11 at 7:27 p.m.

At this time Chairman Mohr swore in those members of the public that wished to speak on the petitions.

18 – 11 – Elva Rocha (Owner) and Ramon Martinez (Lessee)

Request: Variances to Section s 4.05.E, 4.05.F, 11.02.F.7 of the Kendall County Zoning Ordinance Allowing the Construction of a Detached Accessory Structure to be 166% the Size of the Primary Structure and be 20.5 Feet in Height and to Allow the Driveway to be 3.5 Feet from the Eastern Property Line

PIN: 03-05-454-023

Location: 16 Curtmar Court, Montgomery (Boulder Hill) in Oswego Township

Purpose: The proposed new garage would be twenty point five feet (20.5') in height. The maximum building height for an accessory structure is fifteen feet (15').

The proposed new garage would be one thousand nine hundred forty-four (1944) square feet in size. The new garage would be approximately one hundred sixty-six percent (166%) the size of the existing house which is one thousand one hundred seventy-five (1175) square feet in size and greater than seventy percent (70%) the size of the house.

The proposed driveway would extend to approximately three point five feet (3.5') of the east side property line; the driveway cannot be closer than five feet (5') without a variance.

Mr. Asselmeier summarized the request.

The owner of the subject property, Elva Rocha, leases the property to her brother, Ramon Martinez.

Mr. Martinez would like to demolish the existing five hundred eighty-six (586) square foot garage and construct a one thousand nine hundred forty-four (1944) square foot garage in approximately the same location as the existing garage. He would like the garage to store his 18-wheeler and to work on his vehicles. The subject property is zoned R-6 One Family Residence District.

The construction of the proposed garage requires the following three (3) variances:

1. The new garage would be twenty point five feet (20.5') in height. The maximum building height for an accessory structure is fifteen feet (15').
2. The new garage would be one thousand nine hundred forty-four (1944) square feet in size. The new garage would be approximately one hundred sixty-six percent (166%) the size of the existing house which is one thousand one hundred seventy-five (1175) square feet in size. An accessory structure in the R-6 District can only be seventy percent (70%) the size of primary structure.
3. The proposed driveway would extend to approximately three point five feet (3.5') of the east side property line; the driveway cannot be closer than five feet (5') without a variance.

The subject property is inside the Boulder Hill Subdivision. The surrounding land uses are mostly residential.

Oswego Township was emailed this proposal on March 27, 2018 and no comments have been received.

The Village of Montgomery was emailed this proposal on March 27, 2018 and no comments have been received.

No weight restrictions exist on streets in Boulder Hill.

The local fire protection district did not submit comments on the proposal.

If this variance is approved, Staff recommends the following restrictions be placed on the variance to allow for the construction of a new detached garage twenty point five feet (20.5') in height requiring a variance of five point five feet (5.5'); the size of the garage shall be one thousand nine hundred forty-four (1944) square feet in size and one hundred sixty-six percent (166%) the size of the existing house which is one thousand one hundred seventy-five (1175) square feet in size requiring a variance of ninety-six (96) percentage points; the proposed driveway would extend to approximately three point five feet (3.5') of the east side property line requiring a variance of one point five feet (1.5'):

1. The site shall be developed in accordance with the attached site plan.
2. The Petitioner or Lessee shall secure all applicable permits prior to using the garage.
3. The Petitioner and any Lessees of the property shall use the garage for personal use only; no business shall be operated inside the garage or on the subject property without securing a home occupation affidavit from the Kendall County Planning, Building and Zoning Department.

Mr. Asselmeier noted that the certificate of publication and green cards were on file in the Planning, Building and Zoning Department Office.

Chairman Mohr opened the public hearing at 7:31 p.m. At this time Chairman Mohr swore in those members of the public that wished to speak on the petition.

Ramon Martinez, Petitioner, stated that he plans to park his eight (8) wheelers, cars, and mowers in the proposed garage.

Ms. Clementi asked where the truck was parked normally. Mr. Martinez responded that he keeps the truck parked at a lot at his work; he pays to park at that location.

Mr. Martinez said that the truck would be parked at the property on weekends.

Discussion occurred about the residential nature of the neighborhood. Mr. Martinez would park just the truck and not the semi. He stated that other people park similar vehicles in their driveways.

Chairman Mohr asked why the building needed to be twenty feet (20') in height. Mr. Martinez responded the overhead door needed the height for the clearance of the door.

Mr. LeCuyer asked what was in the back of the lot. The area in question is a Commonwealth Edison right-of-way.

The proposed dimension of the building is thirty-six feet x fifty-four feet (36'x54').

There was no written correspondence related to this request; there was one (1) phone call from a neighbor expressing their opposition to the request.

Chairman Mohr adjourned the public hearing on this matter at 7:38 p.m.

Ms. Clementi noted that her home is not in the notice area, but is visible in one (1) of the pictures. She stated that Curtmar Court is in poor condition and she expressed concerns regarding the impact of such a vehicle on the roads. She expressed concerns about the resale of the property if the garage is approved. She believes the garage will be unsightly and she believes that the garage is an inappropriate use for the R-6 Zoning District.

Chairman Mohr expressed concerns that a future property owner may convert the building to a business use.

There are no covenants in Boulder Hill, to the knowledge of the Planning, Building and Zoning Department.

Ms. Clementi agreed that semis are parked in driveways throughout Boulder Hill. She did not want to condone that activity.

Discussion occurred regarding the driveway variance. The curve of the driveway would encroach in the setback. Chairman Mohr stated that he was not opposed to the driveway variance. Ms. Clementi stated that older parts of Boulder Hill have zero (0) lot lines and she is not opposed to the side yard variance; she is opposed to the size and height variance request.

Ms. Clementi made a motion, seconded by Mr. LeCuyer, to amend the 5th Finding of Fact to read "The proposed garage may block light or air from adjacent properties. The proposed garage may cause an increase in congestion on public streets. The proposed variance may diminish property values in the

area. Provided the garage is constructed to the building code, no increase of fire or public safety concerns are anticipated by this proposal.”

The votes were as follows:

Ayes (4): Clementi, LeCuyer, Mohr, and Thompson
Nays (0): None
Absent (2): Cherry and Whitfield

The motion passed.

Mr. LeCuyer made a motion, seconded by Mr. Thompson, to approve the Findings of Fact as amended.

The votes were as follows:

Ayes (4): Clementi, LeCuyer, Mohr, and Thompson
Nays (0): None
Absent (2): Cherry and Whitfield

The motion passed.

Ms. Clementi, seconded by Mr. LeCuyer, made a motion to approve the variances as requested.

The votes were as follows:

Ayes (0): None
Nays (4): Clementi, LeCuyer, Mohr, and Thompson
Absent (2): Cherry and Whitfield

The motion failed. The variance request is denied.

The Zoning Board of Appeals concluded review of Petition 18-11 at 7:58 p.m.

18 – 13 – Kendall County Planning, Building and Zoning Committee

Request: Text Amendments to Sections 3.02, 4.18, 7.01.D, 8.02.C, 8.03.H.1, 8.09.B, 9.02.C, 9.03.C, 9.04.C, 9.05.C, 9.06.F, 9.07.C, and 10.03.B of the Kendall County Zoning Ordinance by Amending Kendall County’s Solar Panel Zoning Regulations

Purpose: Text Amendment Defines Types of Solar Panel Usage and Solar Panel Equipment, Amends the Zoning Regulations for Accessory Use of Solar Panels, and Adds Requirements for Solar Gardens and Solar Farms.

Mr. Asselmeier reported that the Planning Commission requested additional time to review proposed regulations. Mr. Asselmeier will email Zoning Board of Appeals members copies of the proposal in its current form.

NEW BUSINESS/OLD BUSINESS

Presentation of Amendments to the Title, Article I-Section 3, Article II-Section 1, Article III-Section 6, Article VII-Sections 7, 8, and 9, and Article X of the Kendall County Zoning Board and Special Use Hearing Officer General Rules and By-Laws to Reflect the Transfer of Special Use Related Applications and Hearing from the Special Use Hearing Officer to the Zoning Board of Appeals as Approved by the Kendall County Board through Ordinance 2018-04 and Related Citation Amendments

With the adoption of Ordinance 2018-04, amendments to various sections of the Zoning Board of Appeals' Bylaws were presented. The amendments are required to remove conflicts between the Bylaws and the Zoning Ordinance.

REVIEW OF PETITIONS THAT WENT TO THE COUNTY BOARD

Mr. Asselmeier reported that Petition 17-29 regarding the notification requirements for special use permits in the A-1 District was approved by the Board. Special use permit applications on A-1 zoned property will have to notify neighboring property owners up to seven hundred fifty feet (750'). Non A-1 zoned properties desiring a special use permit will only have to notify adjoining property owners. The new amendment does not apply to map amendments or variances; the notification requirements remain unchanged.

Mr. Asselmeier reported that Petition 18-05 regarding the Warpinski map amendment on Walker Road did not go to the Board because Kendall Township did not respond in writing to requests about filing a formal objection.

PUBLIC COMMENT

Chairman Mohr requested that the vacancy on the Zoning Board of Appeals be filled promptly.

Mr. Asselmeier reported that a map amendment application on Route 71 south of Timbercreek Drive in Kendall Township, a special use permit for solar panels on Newark Road in Big Grove Township, and a special use permit for a banquet facility on Route 30 outside Montgomery in Bristol Township will be on the agenda for the June meeting.

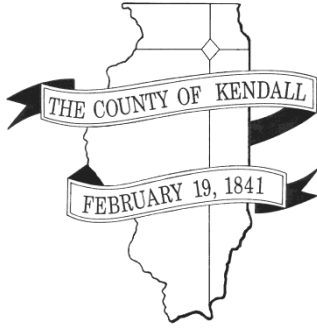
ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Mr. LeCuyer, seconded by Ms. Clementi made a motion to adjourn. By voice vote of all ayes, the motion passed unanimously. The Zoning Board of Appeals meeting adjourned at 8:04 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, AICP
Senior Planner

Exhibits

1. Staff Report on Petition 18-11 Dated March 27, 2018 and Revised April 4, 2018.
2. Certificate of Publication and Proof of Mailing for Petition 18-11 (Not Included with Report but on file in Planning, Building and Zoning Office).



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 18-11

Elva Rocha (Owner) Ramon Martinez (Lessee)

Variances

Accessory Structure Building Height

Accessory Structure Size in Relation to Primary Structure

Driveway Side Yard Setback-R-6

INTRODUCTION

The owner of the subject property, Elva Rocha, leases the property to her brother, Ramon Martinez.

Mr. Martinez would like to demolish the existing five hundred eighty-six (586) square foot garage and construct a one thousand nine hundred forty-four (1944) square foot garage in approximately the same location as the existing garage. He would like the garage to store his 18-wheeler and to work on his vehicles. The subject property is zoned R-6 One Family Residence District.

The construction of the proposed garage requires the following three (3) variances:

1. The new garage would be twenty point five feet (20.5') in height. The maximum building height for an accessory structure is fifteen feet (15').
2. The new garage would be one thousand nine hundred forty-four (1944) square feet in size. The new garage would be approximately one hundred sixty-six percent (166%) the size of the existing house which is one thousand one hundred seventy-five (1175) square feet in size. An accessory structure in the R-6 District can only be seventy percent (70%) the size of primary structure.
3. The proposed driveway would extend to approximately three point five feet (3.5') of the east side property line; the driveway cannot be closer than five feet (5') without a variance.

The variance application is attached as Attachment 1. The site plan is included as Attachment 2

SITE INFORMATION

PETITIONER Elva Rocha

ADDRESS 16 Curtmar Court, Montgomery

LOCATION Lot 193 in Boulder Hill



TOWNSHIP Oswego

PARCEL # 03-05-454-023

LOT SIZE 0.42 +/- Acres

EXITING LAND USE Single Family Residential (Boulder Hill Subdivision)

ZONING R-6 One Family Residence District

LRMP	Current Land Use	Single Family Residential
	Future Land Use	Suburban Residential
	Roads	Curtmar Court is local road maintained by Oswego Township.
	Trails	None
	Floodplain/Wetlands	None

REQUESTED ACTION The new garage would be twenty point five feet (20.5') in height. The maximum building height for an accessory structure is fifteen feet (15').

The new garage would be one thousand nine hundred forty-four (1944) square feet in size. The new garage would be approximately one hundred sixty-six percent (166%) the size of the existing house which is one thousand one hundred seventy-five (1175) square feet in size and greater than seventy percent (70%) the size of the house.

The proposed driveway would extend to approximately three point five feet (3.5') of the east side property line; the driveway cannot be closer than five feet (5') without a variance.

APPLICABLE REGULATIONS § 4.05.E – Accessory Buildings, Structures and Uses – Height of Accessory Structures in Required Rear Yards.

§ 4.05.F – Accessory Buildings, Structures and Uses – Footprint of Accessory Structures in R-5, R-6, and R-7 Districts.

§ 11.02.F.7 – Additional Regulations-Park – Design and Maintenance – In Yards – Side Yards.

§13.04 – Variation Procedures and Requirements

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	LRMP	Zoning within 1/2 Mile
North	Single Family Residential	R-6	Suburban Residential	R-7 and B-3
South	Comed ROW	R-6	Suburban Residential	R-6
East	Single Family Residential	R-6	Suburban Residential	R-6

West

Single Family
Residential

R-6

Suburban Residential

A-1 SU, R-1, R-1
SU, R-3, R-5, R-6

GENERAL INFORMATION

The existing garage is thirteen feet (13') in height.

Pictures of the subject property are included as Attachments 3-7.

As shown in Attachments 5, 6, and 7, the garage will be constructed behind a fence on the north and east sides. The new garage will be visible to property owners south of the Commonwealth Edison right-of-way and motorists on Circle Drive West.

On the site plan (Attachment 2), there is a reference to a power line designated for removal. This power line is visible in Attachment 7.

No weight restrictions exist on streets in Boulder Hill.

Mr. Martinez intends to use the new building for his own use.

The building will be made of metal. To date, Mr. Martinez has not supplied the County with drawings of the new garage.

OSWEGO TOWNSHIP

Oswego Township was emailed this proposal on 3.27.18.

VILLAGE OF MONTGOMERY

The Village of Montgomery was emailed this proposal on 3.27.18.

FINDINGS OF FACT

§ 13.04.A.3 of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to grant variations. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. A garage of this size could not be constructed on the subject property without variances.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. This is partially true. Other properties zoned R-6 could have similar configurations (i.e. location of the home on the parcel, the size of the parcel, the size of the house, etc.) limiting the location of potential accessory structures and sizes of accessory structures. The number of properties sharing similar characteristics is unknown.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. While neither the Petitioner nor the Lessee platted the subject property, the Lessee created the hardship by desiring a garage of this size on the property.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. True, the construction of the proposed garage will not be detrimental to the public welfare or injurious to other properties.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. True, the proposed garage will not block light or air from adjacent properties. The proposed garage will not cause an

increase in congestion on public streets. The proposed variance will not diminish property values in the area. Provided the garage is constructed to the building code, no increase of fire or public safety concerns are anticipated by this proposal.

RECOMMENDATION

If this variance is approved, Staff recommends the following restrictions be placed on the variance to allow for the construction of a new detached garage twenty point five feet (20.5') in height requiring a variance of five point five feet (5.5'); the size of the garage shall be one thousand nine hundred forty-four (1944) square feet in size and one hundred sixty-six percent (166%) the size of the existing house which is one thousand one hundred seventy-five (1175) square feet in size requiring a variance of ninety-six (96) percentage points; the proposed driveway would extend to approximately three point five feet (3.5') of the east side property line requiring a variance of one point five feet (1.5'):

1. The site shall be developed in accordance with the attached site plan shown in Attachment 2.
2. The Petitioner or Lessee shall secure all applicable permits prior to using the garage.
3. The Petitioner and any Lessees of the property shall use the garage for personal use only; no business shall be operated inside the garage or on the subject property without securing a home occupation affidavit from the Kendall County Planning, Building and Zoning Department.

ATTACHMENTS

1. Application (Including Petitioner's Findings of Fact)
2. Site Plan (Including Topographic Information)
3. Aerial
4. Front (North) Side of House
5. Existing Garage
6. East Side of Existing Garage
7. Looking South from Existing Garage
8. Oswego Fire District Email 3.28.18



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560
 (630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME POST BARN GARAGE FILE #: 18-11

NAME OF APPLICANT <u>ELVA L. ROCHA</u>		
CURRENT LANDOWNER/NAME(S) <u>ELVA L. ROCHA</u>		
SITE INFORMATION ACRES <u>0.42</u>	SITE ADDRESS OR LOCATION <u>16 CURTMAR CT. MONTGOMERY, IL. 60538</u>	ASSESSOR'S ID NUMBER (PIN) <u>03-05-454-023</u>
EXISTING LAND USE <u>Single-Family Residential</u>	CURRENT ZONING <u>R-b One-Family Residential</u>	LAND CLASSIFICATION ON LRMP <u>Suburban Residential</u>
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MAP AMENDMENT (Rezone to _____)	<input checked="" type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT <input type="checkbox"/> PRELIMINARY PLAT etc.)	<input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final) <input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> ADMINISTRATIVE APPEAL <input type="checkbox"/> OTHER PLAT (Vacation, Dedication,
<input type="checkbox"/> AMENDMENT TO A SPECIAL USE (Major: _____ Minor)		
¹ PRIMARY CONTACT <u>RAMON MARTINEZ</u>	PRIMARY CONTACT MAILING ADDRESS <u>16 CURTMAR CT. MONTGOMERY, IL. 60538</u>	PRIMARY CONTACT EMAIL [REDACTED]
PRIMARY CONTACT PHONE # [REDACTED]	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER #(Cell, etc.)
² ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER #(Cell, etc.)
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
SIGNATURE OF APPLICANT [REDACTED]		DATE <u>3/6/2018</u>

FEE PAID:\$ 425.00
 CHECK: [REDACTED] 3/6/18

¹Primary Contact will receive all correspondence from County
²Engineering Contact will receive all correspondence from the County's Engineering Consultants

Please fill out the following findings of fact to the best of your capabilities. § 13.04 of the Zoning Ordinance outlines findings that the Zoning Board of Appeals shall take into consideration the extent to which the following conditions have been established by the evidence:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out.

NO, NONE.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification.

NO, NONE.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.

NONE.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located.

SHOULD BE NO DETRIMENTAL TO THE PUBLIC WELFARE.
IT WILL NOT BE VISIBLE BY THE PUBLIC STREETS.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood.

SHOULD BE NO DANGEROUS SITUATIONS, WITHIN THE SURROUNDING PROPERTIES, THERE ARE NO RESIDENTS/BUILDINGS IN BACK OF MY HOME. AND NO TRAFFIC.

QUIT CLAIM DEED
ILLINOIS STATUTORY

200600024249
Filed for Record in
KENDALL COUNTY, ILLINOIS
PAUL ANDERSON
08-08-2006 At 12:40 pm.
QUIT CLAIM 40.00
RHSP Surcharge 10.00

MAIL TO:

Elva L. Rocha
16 Curtmar Ct
Montgomery IL 60538

NAME & ADDRESS OF TAXPAYER:

Elva L. Rocha
16 Curtmar Ct
Montgomery IL 60538

RECORDER'S STAMP

THE GRANTOR(S) Elva L. Rocha
of the Town of Montgomery County of Kendall State of IL
for and in consideration of _____ DOLLARS
and other good and valuable considerations in hand paid,

CONVEY(S) AND QUIT CLAIM(S) to Elva L. Rocha and Honorio Rocha
husband & wife as Tenants By Entirety
(GRANTEE'S ADDRESS) 16 Curtmar Ct
of the Village of Montgomery County of Kendall State of IL
all interest in the following described real estate situated in the County of Kendall, in the State of Illinois,
to wit:

see Attached

NOTE: If additional space is required for legal - attach on separate
8-1/2" x 11" sheet with a minimum of 1/2" clear margin on all sides.

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Index Number(s): 10-05-454.023
Property Address: 16 Curtmar Ct. Montgomery IL 60538

Dated this 8-8th day of AUGUST 2006

[Redacted Signature] (Seal) _____ (Seal)
Elva L. Rocha (Seal) _____ (Seal)

NOTE: PLEASE TYPE OR PRINT NAME BELOW ALL SIGNATURES

COMPLIMENTS OF Chicago Title Insurance Company

STATE OF ILLINOIS) ss.
County of Laurel)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT Elva L. Rocha personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that she signed, sealed and delivered the instrument as a free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal, this 8 day of August, 2005

[Signature]
Notary Public

My commission expires on _____, 19____.

Notary Public



____ COUNTY - ILLINOIS TRANSFER STAMP

* If Grantor is also Grantee you may want to strike Release & Waiver of Homestead Rights.

NAME AND ADDRESS OF PREPARER:
Elva L. Rocha
16 Curtmar St.
Montgomery IL 60538

EXEMPT UNDER PROVISIONS OF PARAGRAPH 5 SECTION 4,
REAL ESTATE TRANSFER ACT
DATE: 8-8-05
[Signature] Representative

** This conveyance must contain the name and address of the Grantee for tax billing purposes: (55 ILCS 5/3-5020) and name and address of the person preparing the instrument: (55 ILCS 5/3-5022).

TO
FROM
QUIT CLAIM DEED
ILLINOIS STATUTORY

STREET ADDRESS: 16 CURTMAR CT

CITY: MONTGOMERY

COUNTY: KENDALL

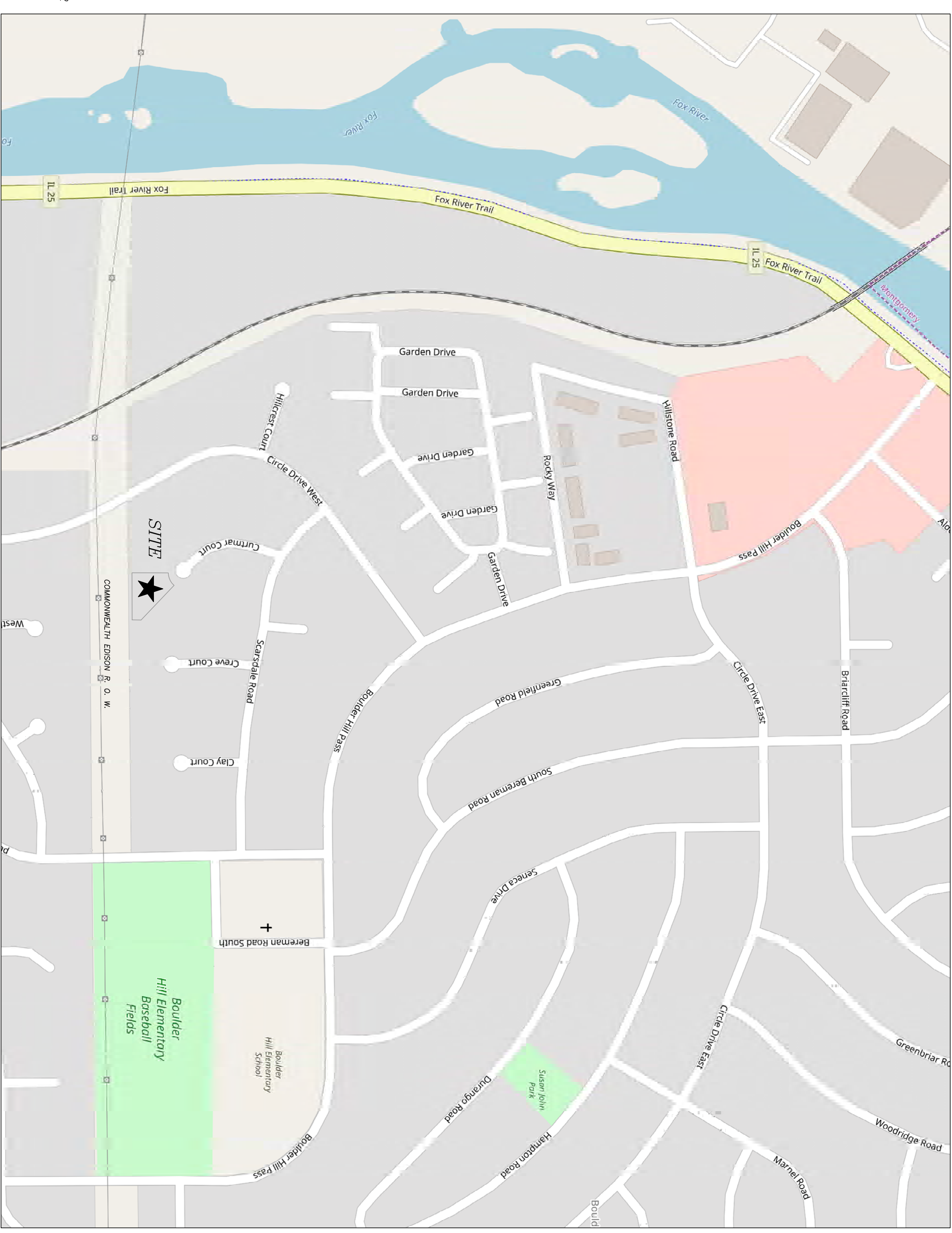
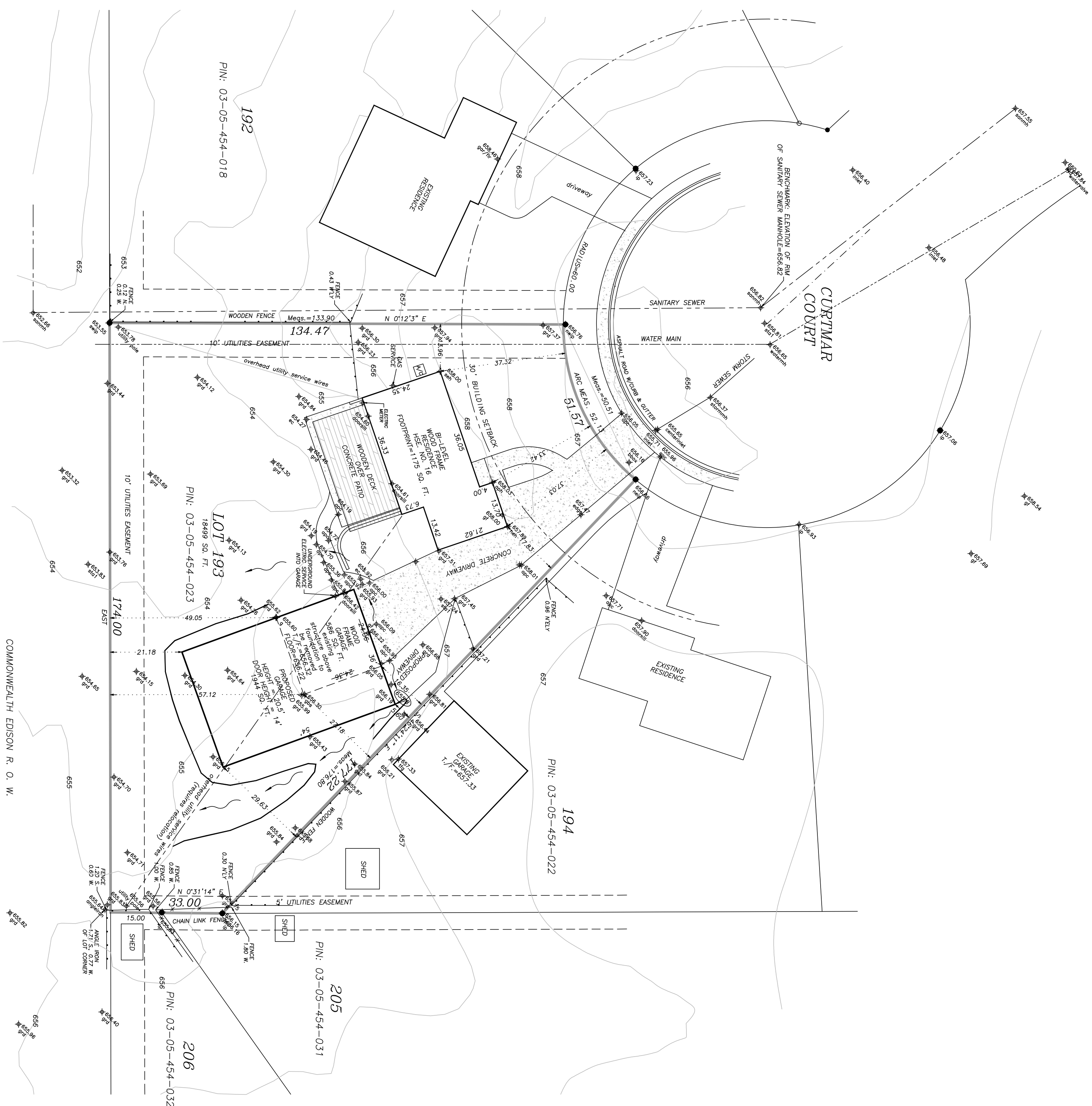
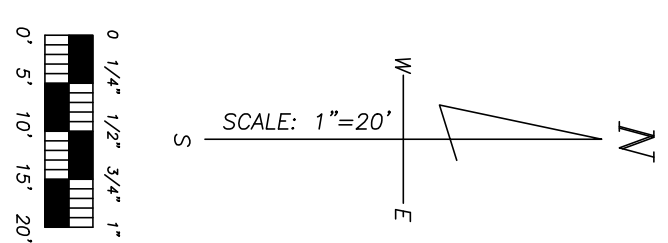
TAX NUMBER: 10-05-454-023-0000

LEGAL DESCRIPTION:

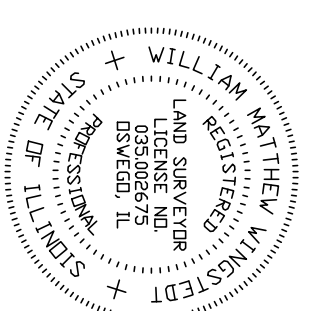
LOT 193 OF BOULDER HILL, UNIT 7, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

TOPOGRAPHICAL SURVEY

OF
LOT 193 OF BOULDER HILL, UNIT 7, IN THE
TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.
PIN: 03-05-454-023



VICINITY MAP
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<https://www.openstreetmap.org/copyright>



STATE OF ILLINOIS }
COUNTY OF KENDALL } S. S.

THIS IS TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID PROPERTY AND THAT THE SAME COMES WITHIN THE CURRENT ILLINOIS MINIMUM STANDARDS OF A BOUNDARY SURVEY, GIVEN UNDER MY HAND AND SEAL, AT OSWEGO, ILLINOIS, THIS 28TH DAY OF FEBRUARY, A.D., 2018.

ILLINOIS LAND SURVEYOR NO. 2832
(LICENSE SUBJECT TO RENEWAL AND EXPIRES 11/30/2018)
REFER TO THE PUBLIC POLICY FOR RESTRICTIONS NOT SHOWN ON SURVEY.
LINE DIRECTIONS AND BEARINGS, WHERE SHOWN, ARE BASED ON AN ASSUMED DATUM LINE.
PLEASE COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY APPARENT DISCREPANCIES.

ORDERED BY:

PLAT REVISION: 03/07/2018
(Quantity: 45; Fee: \$)

ORDER NO. 18.B.42 FILE NO. 180110

WILLIAM M. WINGSTEDT
ILLINOIS PROFESSIONAL SURVEYOR
339 W. WASHINGTON ST., SUITE 100
OSWEGO, ILLINOIS 62450
PHONE: (630) 554-8209 FAX: (630) 551-1207

LEGEND	
PROG. GRADE	(XXX)
PROG. CONTOUR	(---)
EXIST. GRADE	+ XXX
EXIST. CONTOUR	XXX
PROG. DRAINAGE	(---)

18 CURTAIN CLDING
FIELD WORK COMPLETED, BUILDINGS AND OTHER
PREPARED, LOCATED AS SHOWN ON THE 28TH
OF FEBRUARY, A.D., 2018.

Attachment 3-Aerial



Attachment 4 Front (North) Side of House



Attachment 5-Existing Garage



Attachment 6-East Side of Existing Garage



Attachment 7-Looking South From Existing Garage



Attachment 8

Matt Asselmeier

From: Mike Veseling [mveseling@oswegofire.com]
Sent: Wednesday, March 28, 2018 2:41 PM
To: Matt Asselmeier; Bob Rogerson; Ken.Holmstrom@oswegotownship.com;
buchanan@ci.montgomery.il.us
Subject: RE: 16 Curtmar Court Variance Request

Matt,

I had our Fire Prevention Bureau evaluate this request for variance, and they determined that we have no basis to interject/intervene in this process based on applicable fire codes.

Please let us know if we can be of any other assistance.

Have a great day. Mike

From: Matt Asselmeier <masselmeier@co.kendall.il.us>
Sent: Tuesday, March 27, 2018 10:22 AM
To: Bob Rogerson <bob.rogerson@oswegotownship.com>; Ken.Holmstrom@oswegotownship.com; Mike Veseling <mveseling@oswegofire.com>; buchanan@ci.montgomery.il.us
Subject: 16 Curtmar Court Variance Request

To All:

Attached please find a report and application for three variances at 16 Curtmar Court in Boulder Hill.

The Kendall County Zoning Board of Appeals will review this proposal on April 30th. If you would like to submit comments on the requested variances, please submit them to me by April 23rd.

If you have any questions, please let me know.

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179