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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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**Petition 20-23**  
**Patrick and Michele Morris**  
**Plat of Vacation of a Public Utility and Drainage Easement in**  
**Grove Estates Subdivision**

**INTRODUCTION**

A five foot (5') public utility and drainage easement exists on the north and south lot lines of Lots 35, 36, and 37 in the Grove Estates Subdivision.

Patrick and Michele Morris would like to merge the three (3) lots and construct a new house over the easements.

The application materials are included as Attachment 1. The plat of vacation is included as Attachment 2.

**SITE INFORMATION**

PETITIONER Patrick and Michele Morris

ADDRESSES 7229, 7251, and 7287 Joyce Court

LOCATION Lot, 35, 36, and 37 in Grove Estates



TOWNSHIP Na-Au-Say

PARCEL #S 06-08-101-021, -022, -023

LOT SIZE 2.1 +/- Acres

EXITING LAND USE Single Family Residential (Grove Estates Subdivision)

ZONING RPD-2 Residential Planned Development-Two

LRMP	Current Land Use	Single Family Residential
	Future Land Use	Rural Residential (0.65 DU/Acre Max)
	Roads	Joyce Court is a Local Road Maintained by Na-Au-Say Township
	Trails	None
	Floodplain/ Wetlands	None

REQUESTED ACTION Vacate the Public Utility and Drainage Easements Along the North and South Lot Lines of Lots 35, 36, and 37 in Grove Estates.

APPLICABLE REGULATIONS Section 7.06 (Subdivision Control Ordinance)

**SURROUNDING LAND USE**

Location	Adjacent Land Use	Adjacent Zoning	LRMP	Zoning within ½ Mile
North	Single Family Residential	RPD-2	Rural Residential (0.65 DU/Acre Max)	RPD-2
South	Single Family Residential	RPD-2	Rural Residential	A-1 and RPD-2
East	Single Family Residential	RPD-2	Rural Residential	A-1 and RPD-2
West	Single Family Residential	RPD-2	Rural Residential	A-1 and RPD-2

**ACTION SUMMARY**

**NA-AU-SAY TOWNSHIP**

Na-Au-Say Township was emailed information on September 22, 2020.

**VILLAGE OF OSWEGO**

The Village of Oswego was emailed information on September 22, 2020.

**OSWEGO FIRE PROTECTION DISTRICT**

The Oswego Fire Protection District was emailed information on September 22, 2020.

**ZPAC**

ZPAC reviewed this proposal at their meeting on October 6, 2020. No utilities were located in the easements. The Petitioner plans to install two (2) driveways at the subject property. The homeowners' association has no opposition to this request. ZPAC recommended approval by a vote of seven (7) in favor and zero (0) in opposition. Three (3) members were absent. The minutes of the meeting are included as Attachment 3.

**GENERAL**

The total area proposed for vacation is approximately one tenth (0.1) of an acre.

The Petitioners provided information stating that none of the utilities or the homeowners' association were in

opposition to this request.

**RECOMMENDATION**

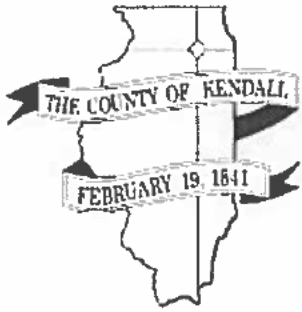
Staff recommends that the requested vacation with the following conditions:

1. Lots 35, 36, and 37 of Grove Estates Subdivision shall not be sold as individual lots upon the successful recording of the plat of vacation (Attachment 2). Within ninety (90) days of the effective date of this ordinance, the Petitioner shall submit a parcel consolidation request to Kendall County.
2. This vacation shall become effective upon the successful recording of the plat of vacation in the timeframe outlined in Section 7.06.H of the Kendall County Subdivision Control Ordinance unless an extension is granted by the Kendall County Board.

The draft ordinance is included as Attachment 4.

**ATTACHMENTS**

1. Application Materials (Including Emails from Utilities and Homeowners' Association)
2. Plat of Vacation
3. October 6, 2020 ZPAC Minutes
4. Draft Ordinance



**DEPARTMENT OF PLANNING, BUILDING & ZONING**

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

**APPLICATION**

PROJECT NAME \_\_\_\_\_ FILE #: \_\_\_\_\_

<b>NAME OF APPLICANT</b> Patrick and Michele Morris		
<b>CURRENT LANDOWNER/NAME(s)</b> Patrick and Michele Morris		
<b>SITE INFORMATION</b> ACRES 2.1	<b>SITE ADDRESS OR LOCATION</b> Lot 35, Lot 36, Lot 37 Joyce Ch Oswege	<b>ASSESSOR'S ID NUMBER (PIN)</b> 0608101021 0608101022 0608101023
<b>EXISTING LAND USE</b> Single Fam Residential, RPD 2	<b>CURRENT ZONING</b> RPD 2	<b>LAND CLASSIFICATION ON LRMP</b> Rural Residential 1
<b>REQUESTED ACTION (Check All That Apply):</b>		
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MAP AMENDMENT (Rezone to _____)	<input 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"/> RPD ( <input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input checked="" type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
<input type="checkbox"/> AMENDMENT TO A SPECIAL USE ( <input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
<b>1 PRIMARY CONTACT</b> Michele Morris	<b>PRIMARY CONTACT MAILING ADDRESS</b> [REDACTED]	
<b>PRIMARY CONTACT PHONE #</b> [REDACTED]	<b>PRIMARY CONTACT FAX #</b> [REDACTED]	<b>PRIMARY CONTACT OTHER # (Cell, etc.)</b> [REDACTED]
<b>2 ENGINEER CONTACT</b> David J. Zientek	<b>ENGINEER MAILING ADDRESS</b> [REDACTED]	
<b>ENGINEER PHONE # office</b> 815-744-6600	<b>ENGINEER FAX # cell</b> [REDACTED]	<b>ENGINEER OTHER # (Cell, etc.)</b> [REDACTED]
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.		
<b>SIGNATURE OF APPLICANT</b> [REDACTED]	<b>DATE</b> 8-11-2020 8-11-2020	

FEE PAID: \$ 300.00  
 CHECK #: \_\_\_\_\_

<sup>1</sup>Primary Contact will receive all correspondence from County  
<sup>2</sup>Engineering Contact will receive all correspondence from the County's Engineering Consultants



**TRUSTEE'S DEED  
JOINT TENANCY**

COPY

This indenture made this 28<sup>th</sup> day of June, 2019, between CHICAGO TITLE LAND TRUST COMPANY, a corporation of Illinois, as Trustee under the provisions of a deed or deeds in trust, duly recorded and delivered to said company in pursuance of a trust agreement dated the 12<sup>th</sup> day of November, 2010 and known as Trust Number 8002356103 party of the first part, and Patrick J. Morris and Michele R. Morris, husband and wife, whose address is: [REDACTED]

[REDACTED] parties of the second part.

Reserved For Recorder's Office

WITNESSETH, That said party of the first part in consideration of the sum of TEN and no/100 DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE considerations in hand paid, does hereby CONVEY AND QUITCLAIM unto said parties of the second part, not as tenants in common, but as joint tenants, the following described real estate, situated in Kendall County, Illinois, to wit:

**LOT 35 IN GROVE ESTATES BEING A SUBDIVISION IN PART OF THE WEST ¼ OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2006 AS DOCUMENT NO. 200632893 IN KENDALL COUNTY, ILLINOIS.**

**Property Address: Vacant Lot 35, Oswego, Illinois**

**Permanent Tax Number: 06-08-101-021**

together with the tenements and appurtenances thereunto belonging.

**TO HAVE AND TO HOLD the same unto said party of the second part forever, not in tenancy in common, but in joint tenancy.**

This Deed is executed pursuant to and in the exercise of the power and authority granted to and vested in said trustee by the terms of said deed or deeds in trust delivered to said trustee in pursuance of the trust agreement above mentioned. This deed is made subject to the lien of every trust deed or mortgage (if any there be) of record in said county to secure the payment of money, and remaining unreleased at the date of the delivery hereof.

IN WITNESS WHEREOF, said party of the first part has caused its corporate seal to be affixed, and has caused its name to be signed to these presents by its Assistant Vice President, the day and year first above written.



CHICAGO TITLE LAND TRUST COMPANY,  
as Trustee as Aforesaid

By: \_\_\_\_\_  
Assistant Vice President

State of Illinois  
County of DuPage

SS.

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the above named Assistant Vice President of **CHICAGO TITLE LAND TRUST COMPANY**, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Assistant Vice President appeared before me this day in person and acknowledged that she signed and delivered the said instrument as her own free and voluntary act and as the free and voluntary act of the Company; and the said Assistant Vice President then and there caused the corporate seal of said Company to be affixed to said instrument as her own free and voluntary act and as the free and voluntary act of the Company.

Given under my hand and Notarial Seal this 28<sup>th</sup> day of June, 2019

\_\_\_\_\_  
[Redacted Signature]

NOTARY PUBLIC



This instrument was prepared by:  
**MAUREEN PAIGE**  
**CHICAGO TITLE LAND TRUST COMPANY**  
2441 Warrenville Road, Suite 100  
Lisle, IL 60532

AFTER RECORDING, PLEASE MAIL TO:

NAME Michele R. Morris

ADDRESS \_\_\_\_\_ OR BOX NO. \_\_\_\_\_

CITY, STATE \_\_\_\_\_

SEND TAX BILLS TO:

NAME Patrick J. Morris

ADDRESS \_\_\_\_\_

CITY, STATE \_\_\_\_\_

**WARRANTY DEED**

**STATUTORY (ILLINOIS)  
CORPORATION TO INDIVIDUAL**

THE GRANTOR, **Grove Venture LLC.**, a corporation created and existing under and by virtue of the laws of the State of Illinois, and duly authorized to transact business in the State of Illinois, for and in consideration of the sum of TEN (\$10.00) DOLLARS, and other good and valuable Considerations in hand paid, and pursuant

To authority given by the Board of Directors of said corporation, CONVEYS AND WARRANTS to **Patrick J. Morris and Michele R. Morris**, not as Tenants in Common or as Joint Tenants, but as Tenants by the Entirety, [REDACTED]

[REDACTED] to wit:

**Lots 36 and 37 in Grove Estates**, being a subdivision in part of the west half of Section 8, Township 36 North, Range 8 East of the Third Principal Meridian according to the plat thereof recorded as document no. 2006-32893, in Kendall County, Illinois

SUBJECT TO: General real estate taxes for 2020 and subsequent years: to zoning ordinances, building lines, easements, covenants, conditions and restrictions of record, feeders, laterals and drainage tiles.

**Permanent Index No.:** Lot 36 06-08-101-022  
Lot 37 06-08-101-023

**Commonly Known as:** Lot 36 7251 Joyce Ct, Oswego, IL  
Lot 37 7229 Joyce Ct, Oswego, IL

**Grove Venture, LLC.**

By: [REDACTED]

Michael J. Steck, Managing Member



JACALYN M FROST <jc1243@att.com>

8/17/2020 11:00 AM

**RE: Lot 35,36,37 Joyce ct Oswego utility vacate**

To Michele Morris [REDACTED] - Copy JACALYN M FROST <jc1243@att.com>

Michele,

I have approval for the vacation will you be having a plat of vacation produced for those easements? If you are please have the plat approved from the utilities before starting to acquire signatures.

Please make sure the vacation stops at the 10 ft easement running in the front of the lots where the facilities were located.

Any questions I am available from 6 a.m. to 2:00 p.m. M-T I am taking vacation days on Fridays for the next month.

*Jacalyn M. Frost*

Manager – Right of Way Construction & Engineering

AT&T Technology Operations

262 N. Ottawa St., Floor 2

Joliet, Illinois 60432

o 779-230-6095 m 815-210-3951 | [jc1243@att.com](mailto:jc1243@att.com)

**MOBILIZING YOUR WORLD**

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential, proprietary and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you receive this in error, please contact the sender and delete material from all computers.

From: Michele Morris [REDACTED]

Sent: Monday, August 17, 2020 8:41 AM

Andersen, Erin K. &lt;ekanders@southernco.com&gt;

8/13/2020 4:19 PM

**RE: Time sensation request to vacate utility easements**

To Michele Morris [REDACTED]

Nico has no objection to the vacation of these easements.

Thank you

Erin K. Andersen  
Land Management Agent  
Land Services Department  
Direct 630.388.2094  
Cell 224.760.1374

[ekanders@southernco.com](mailto:ekanders@southernco.com)[nicorgas.com](http://nicorgas.com)

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**From:** Michele Morris [REDACTED]  
**Sent:** Tuesday, August 11, 2020 5:49 PM  
**To:** Andersen, Erin K. <[ekanders@southernco.COM](mailto:ekanders@southernco.COM)>  
**Subject:** Re: Time sensation request to vacate utility easements

EXTERNAL MAIL: Caution Opening Links or Files

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Thank you Erin for your quick reply. The addresses are as follows :

Lot 35 , 7251 Joyce ct , Oswego Il 60543

Lot 36 , 7251 Joyce ct Oswego Il 60543

Lot 37 , 7229 Joyce ct Oswego Il 60543

The easements that need to be vacated are the East west utility easements that runs the entire length of the lot in between lot 35/36 shared boundary and 36/37 shared boundary. The home is on lot 36 primarily but is too wide to fit entirely on that lot and do will encroach on the other two lots.

The deadline to submit my application to vacate is 8/18 which is Tuesday but the planner asked to review everything on Monday. If my package is complete it will go before the board on 9/1 and the county hearing is tentatively moved up because of Labor Day to 9/3. Once they approve the plat I will bring it to you for your signature and then record it. I need something in writing stating you do not have an objection to me vacating your utility easements before Tuesday in order for me to proceed. We are hoping to break ground late October so if I miss this deadline we will have to wait until spring. I appreciate any assistance you can give to expedite

## Attachment 1, Page 8

Ted Wyman &lt;ted\_wyman@comcast.com&gt;

8/12/2020 8:48 AM

**Lots 35, 36 & 37 Easement vacations - Oswego**

To

Mrs. Morris,

Comcast only has underground cable within the west Right-of-Way of Joyce Ct. and has no cable within the easements that are bordering Lots 35 & 36 and Lots 36 & 37, the easements you wish to have vacated. Therefore, Comcast has no objection to the vacation of said easements.

If you have any questions in regards to this information, please do not hesitate to contact me.

Sincerely,

Ted Wyman  
Comcast Cable  
Right-of-Way Engineer  
688 Industrial Drive  
Elmhurst, IL 60126  
Phone: (224) 229-5850 office (847) 652-6074 cell  
Fax: (630) 359-5482  
[Ted\\_Wyman@comcast.com](mailto:Ted_Wyman@comcast.com)

**PARTIAL EASEMENT DISCLAIMER**

**KNOW ALL MEN BY THESE PRESENTS:**

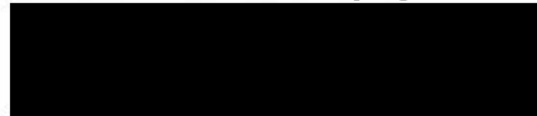
That, COMMONWEALTH EDISON COMPANY, having no facilities located thereon and anticipating no future need thereof, hereby disclaims all right, title, and interest it may have in and to the following described premises under and by virtue of the utility easement set forth, granted and reserved on the Plat of Subdivision for, Whitetail Ridge recorded in the office of the Recorder of Deeds of Kendall County, Illinois, on October 12th, 2006, as Document No. 200632893 to wit:

**\*See Exhibit "A" sketch for specific areas being released; attached hereto and made part hereof the property legally described on Exhibit "B".**

This disclaimer is not intended to and shall not in any way affect the easements set forth and reserved on the aforesaid Plat of Subdivision, except as to the premises hereinbefore specifically described.

Signed and dated this 18TH day of AUGUST, 2020, at OAK BROOK TERRACE, Illinois.

Commonwealth Edison Company



NAME: Jerry Bouska

TITLE: Real Estate Representative

This instrument prepared by Jerry Bouska, Three Lincoln Centre, 4<sup>th</sup> Floor, Oakbrook Terrace, Illinois 60181, on behalf of Commonwealth Edison Company.



STATE OF ILLINOIS

COUNTY OF DuPAGE

I, the undersigned, a notary public, in and for said county, in the state aforesaid, do hereby certify that JERRY BOUSKA, PLAL STATE REPRESENTATIVE, of Commonwealth Edison Company, an Illinois corporation, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Supervisor, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 18TH day of AUGUST, 2020.



Notary Public





# EXHIBIT A

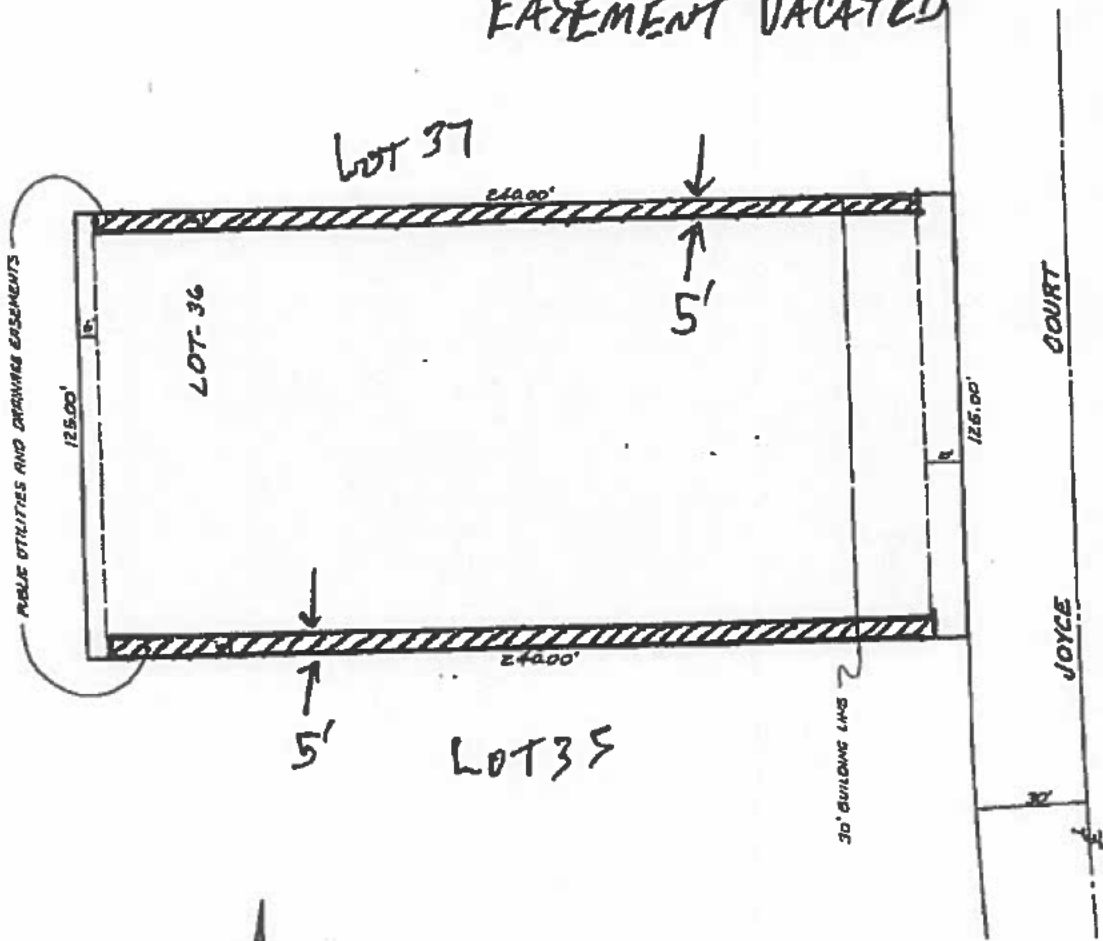
## PLAT OF SURVEY

LOT 36 IN CRONE ESTATE, BEING A SUBDIVISION IN PART OF THE WEST HALF OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, WINDHAM COUNTY, ILLINOIS

### LEGEND



EASEMENT VACATED



STATE OF ILLINOIS )  
 County of [ ] ss.  
 I, THOMAS E. CRONE, a duly licensed Professional Land Surveyor in the State of Illinois, do hereby certify that the above described plat was prepared by me and that the same is a correct representation of the land shown thereon.  
 THOMAS E. CRONE, SLS  
 No. 000000000  
 State of Illinois

**INTECH CONSULTANTS, INC.**  
 Consulting Engineers / Surveyors  
 64 E. DuSable Ave. Chicago, IL 60611

NOTE: This plat was prepared in accordance with the provisions of the Illinois Surveying Act, Chapter 120, Illinois Compiled Statutes (625 ILCS 120). The survey was conducted in accordance with the provisions of the Illinois Surveying Act, Chapter 120, Illinois Compiled Statutes (625 ILCS 120). The survey was conducted in accordance with the provisions of the Illinois Surveying Act, Chapter 120, Illinois Compiled Statutes (625 ILCS 120).



**Exhibit "B"**

**Legal Description**

**LOTS 35, 36 AND 37 IN GROVE STATES BEING A SUBDIVISION IN PART OF THE WEST HALF OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2006 AS DOCUMENT NUMBER 200632893 IN KENDALL COUNTY, ILLINOIS.**

**Property Address: 7229 Joyce Court, Oswego, Illinois 60543**

**7251 Joyce Court, Oswego, Illinois 60543**

**7287 Joyce Court, Oswego, Illinois 60543**

**P.I.N(S): 06-08-101-021, 06-08-101-022 & 06-08-101-023**

**PARTIAL EASEMENT DISCLAIMER**

**KNOW ALL MEN BY THESE PRESENTS:**

That, **COMMONWEALTH EDISON COMPANY**, having no facilities located thereon and anticipating no future need thereof, hereby disclaims all right, title, and interest it may have in and to the following described premises under and by virtue of the utility easement set forth, granted and reserved on the Plat of Subdivision for, Whitetail Ridge recorded in the office of the Recorder of Deeds of Kendall County, Illinois, on October 12th, 2006, as Document No. 200632893 to wit:

**\*See Exhibit "A" sketch for specific areas being released; attached hereto and made part hereof the property legally described on Exhibit "B".**

This disclaimer is not intended to and shall not in any way affect the easements set forth and reserved on the aforesaid Plat of Subdivision, except as to the premises hereinbefore specifically described.

Signed and dated this 18TH day of AUGUST, 2020, at OAK BROOK TERRACE, Illinois.

Commonwealth Edison Company



NAME: Jerry Bouska  
TITLE: Real Estate Representative

This instrument prepared by Jerry Bouska, Three Lincoln Centre, 4<sup>th</sup> Floor, Oakbrook Terrace, Illinois 60181, on behalf of Commonwealth Edison Company.

STATE OF ILLINOIS

COUNTY OF DUPAGE

I, the undersigned, a notary public, in and for said county, in the state aforesaid, do hereby certify that JERRY BOUSKA, REAL ESTATE REPRESENTATIVE, of Commonwealth Edison Company, an Illinois corporation, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Supervisor, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 18TH day of AUGUST, 2020.

[Redacted Signature]

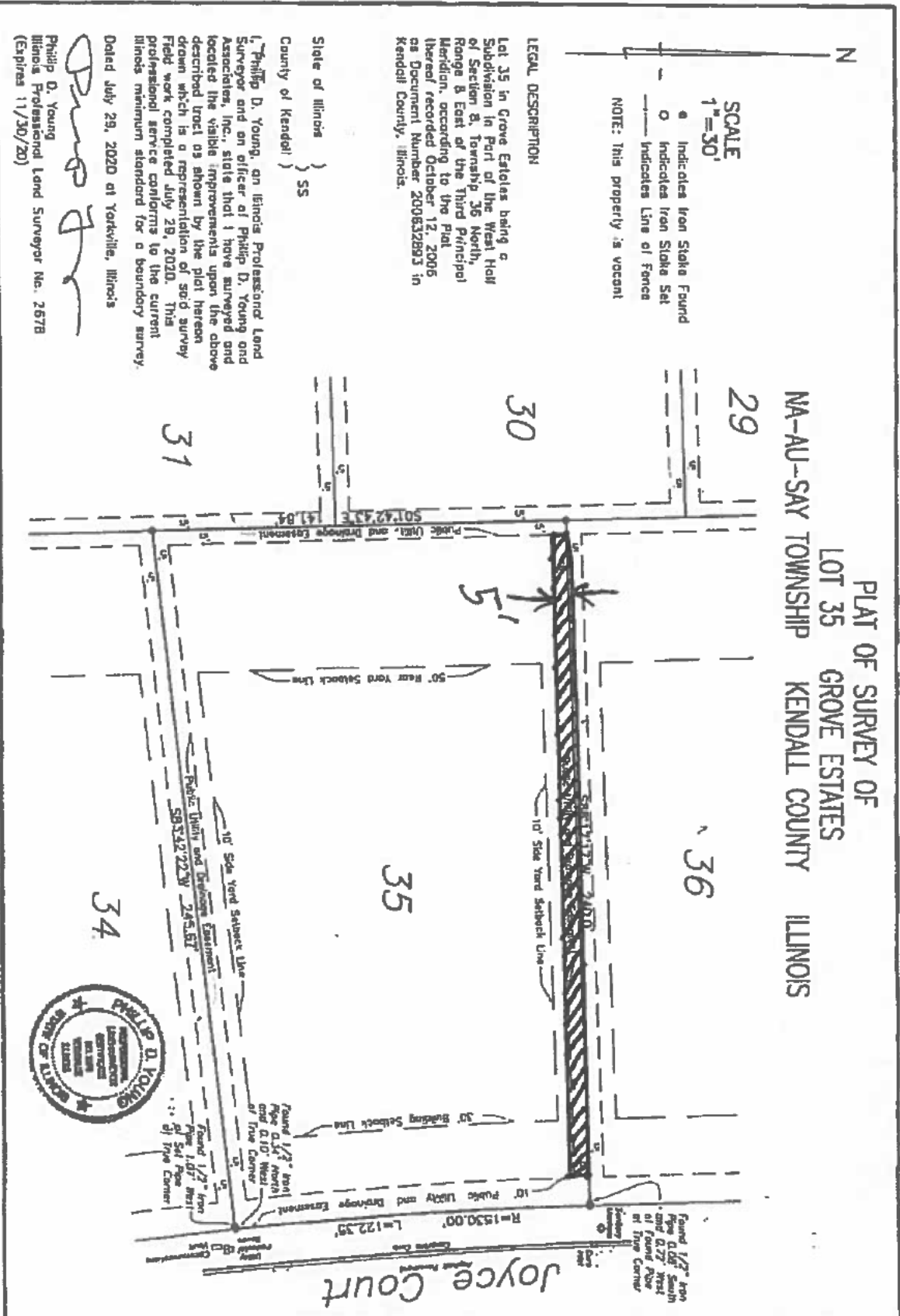
Notary Public



**EXHIBIT A**

**LEGEND**  
**ERFEMENT VACATED**

**PLAT OF SURVEY OF  
 LOT 35 GROVE ESTATES  
 NA-AU-SAY TOWNSHIP KENDALL COUNTY ILLINOIS**





# EXHIBIT A

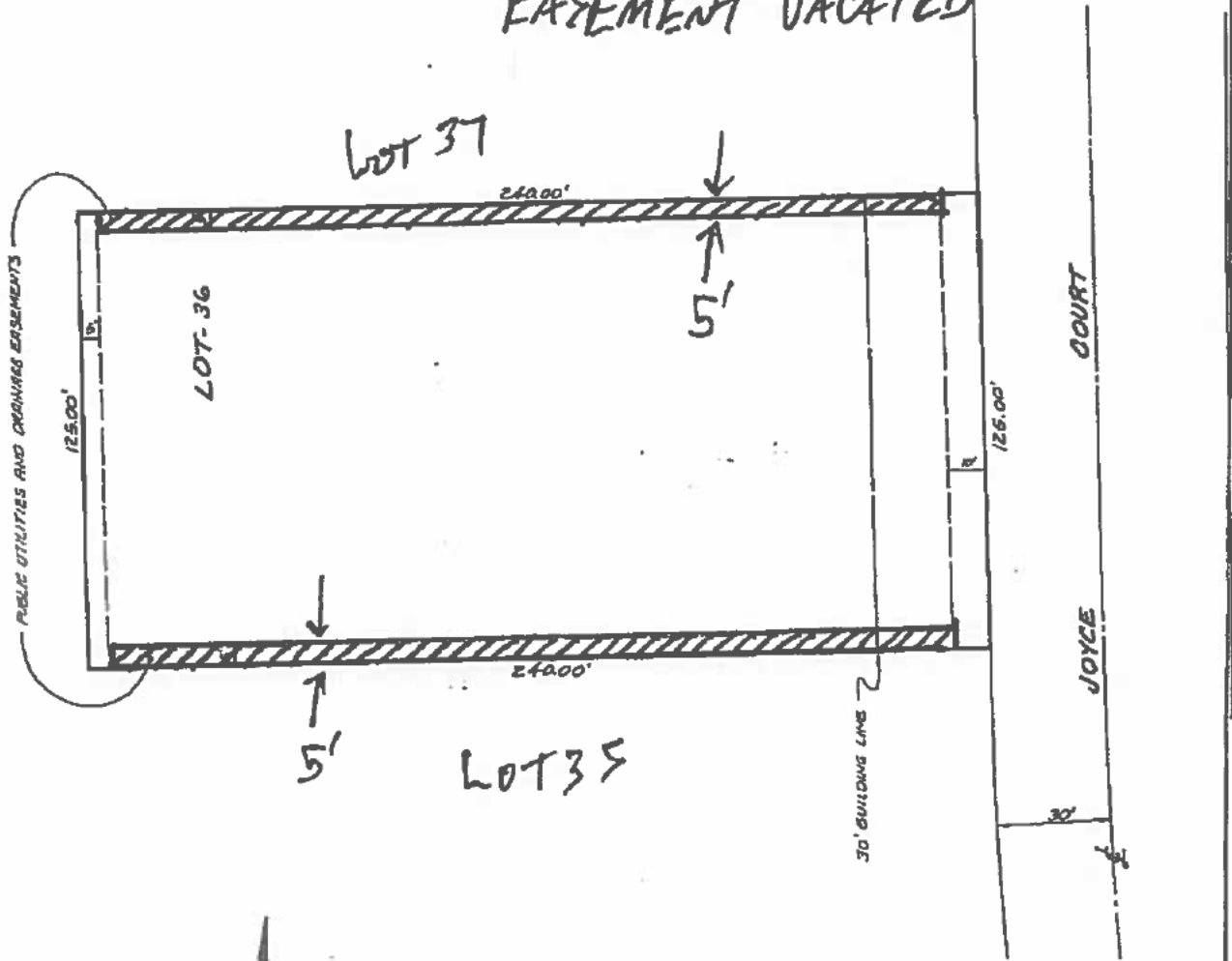
## PLAT OF SURVEY

LOT 36 IN GROVE ESTATES, BEING A SUBDIVISION IN PART OF THE WEST HALF OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS

### LEGEND



EASEMENT VACATED



SCALE: 1"=20'



STATE OF ILLINOIS )  
 COUNTY OF KANE ) ss

THOMAS E. DOWD, P.L.S., Inc.  
 225-2126  
 1700 W. E. 10th St.  
 Downers Grove, IL 60130  
 (630) 232-1111

Surveyed and Platted by  
 Thomas E. Dowd, P.L.S., Inc.  
 11-28-2018

2004-035-36

**INTECH CONSULTANTS, INC.**  
 CONSULTING ENGINEERS/SURVEYORS

NOTE: I HEREBY CERTIFY THAT THE FOREGOING SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ILLINOIS. I HAVE NOT BEEN CONVICTED OF ANY CRIMINAL OFFENSE THAT WOULD DISQUALIFY ME FROM EXERCISING THE FUNCTIONS OF A PROFESSIONAL LAND SURVEYOR. I HAVE NOT BEEN CONVICTED OF ANY CRIMINAL OFFENSE THAT WOULD DISQUALIFY ME FROM EXERCISING THE FUNCTIONS OF A PROFESSIONAL LAND SURVEYOR.

# EXHIBIT A

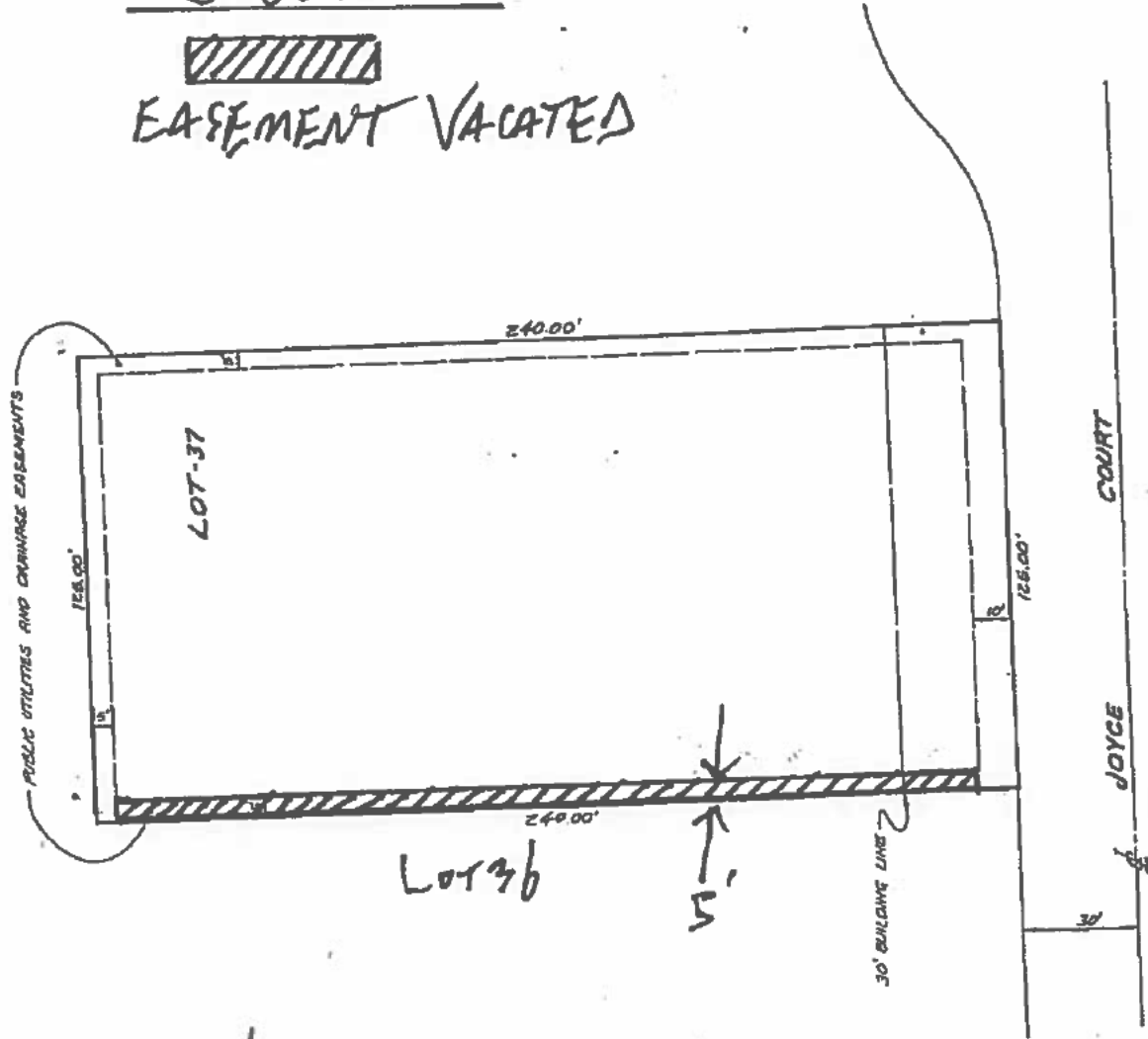
## PLAT OF SURVEY

LOT 37 IN GROVE ESTATES, BEING A SUBDIVISION IN PART OF THE WEST HALF OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KENDALL COUNTY, ILLINOIS.

### LEGEND



EASEMENT VACATED



**INTECH CONSULTANTS, INC.**  
 CONSULTING ENGINEERS/SURVEYORS



STATE OF ILLINOIS )  
 COUNTY OF KENDALL )  
 I, THOMAS E. SMITH, a duly licensed Professional Land Surveyor in and for the State of Illinois, do hereby certify that the above described plat was prepared by me or under my direct supervision and that I am a duly licensed Professional Land Surveyor in and for the State of Illinois.  
 THOMAS E. SMITH  
 LICENSE NO. 0004035-37

NOTE: SURVEYOR'S FIELD NOTES, FIELD BOOKS AND RECORDS ARE AVAILABLE FOR INSPECTION BY THE PUBLIC AT THE OFFICE OF THE SURVEYOR, 1100 N. WASHINGTON ST., CHICAGO, ILLINOIS 60610. THE SURVEYOR'S OFFICE IS LOCATED AT 1100 N. WASHINGTON ST., CHICAGO, ILLINOIS 60610.

## **Exhibit "B"**

### **Legal Description**

LOTS 35, 36 AND 37 IN GROVE STATES BEING A SUBDIVISION IN PART OF THE WEST HALF OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2006 AS DOCUMENT NUMBER 200632893 IN KENDALL COUNTY, ILLINOIS.

Property Address: 7229 Joyce Court, Oswego, Illinois 60543

7251 Joyce Court, Oswego, Illinois 60543

7287 Joyce Court, Oswego, Illinois 60543

P.I.N(S): 06-08-101-021, 06-08-101-022 & 06-08-101-023

Ed Seifert &lt;seifert@intechconsultants.com&gt;

8/11/2020 12:40 PM

**RE: Permission to use topography map**

To Michele Morris [REDACTED] Copy Patrick Morris [REDACTED]

Michele -

Please be advised that in 2005 Intech Consultants prepared the topography contained within the attached tree survey document prepared by others, and that the topography was accurate at that time.

We have no objection to you using this topography for other purposes in 2020, but cannot guarantee that the topography has not changed within the intervening 15 years.

Edward F. Seifert, PE  
Principal  
**INTECH CONSULTANTS, INC.**  
1989 University Lane, Suite D  
Lisle, IL 60532  
Phone: 630-964-5656  
Email: [seifert@intechconsultants.com](mailto:seifert@intechconsultants.com)

-----Original Message-----

From: Michele Morris <[REDACTED]>  
Sent: Tuesday, August 11, 2020 12:15 PM  
To: [seifert@intechconsultants.com](mailto:seifert@intechconsultants.com)  
Cc: Patrick Morris <[REDACTED]>  
Subject: Permission to use topography map

Hi Ed,

I want to thank you for your help with my application to vacate. The county has asked I get permission to use your topographic drawing to submit to them for the purpose of vacating the drainage and utility easements. Matt said I need written permission to use it from you giving consent and stating you stand behind your drawing.

Thank you again!

Michele Morris  
Michele Morris Realty  
[REDACTED]

- 
- 187.001\_TREE INV\_000.pdf (8 MB)



Part of the West Half of Section 8-36-8  
Kendall County, Illinois

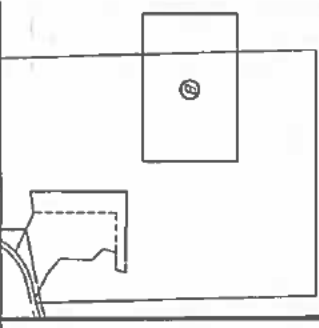
Page 2 of 8 pages

(B)

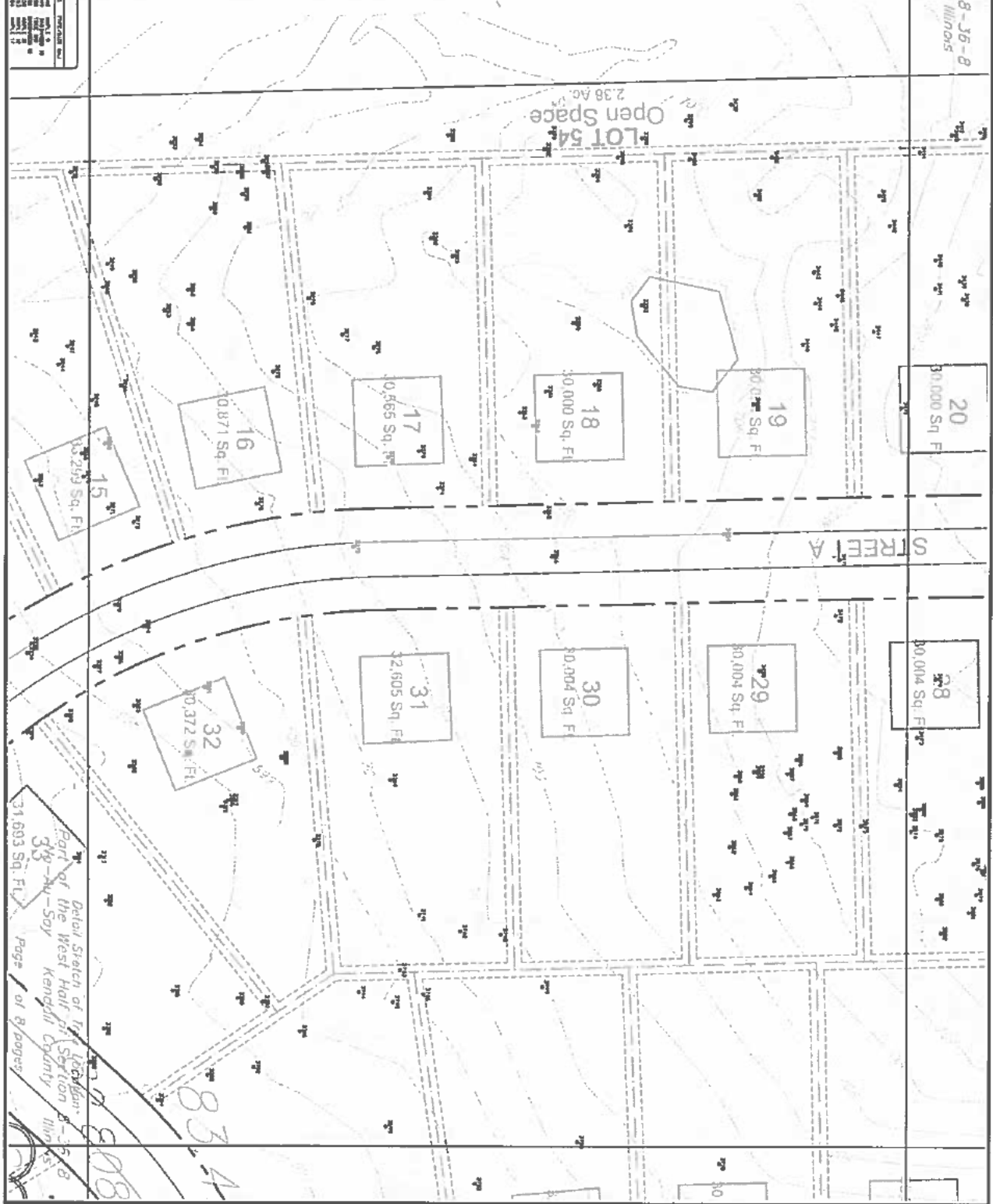


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Location Key

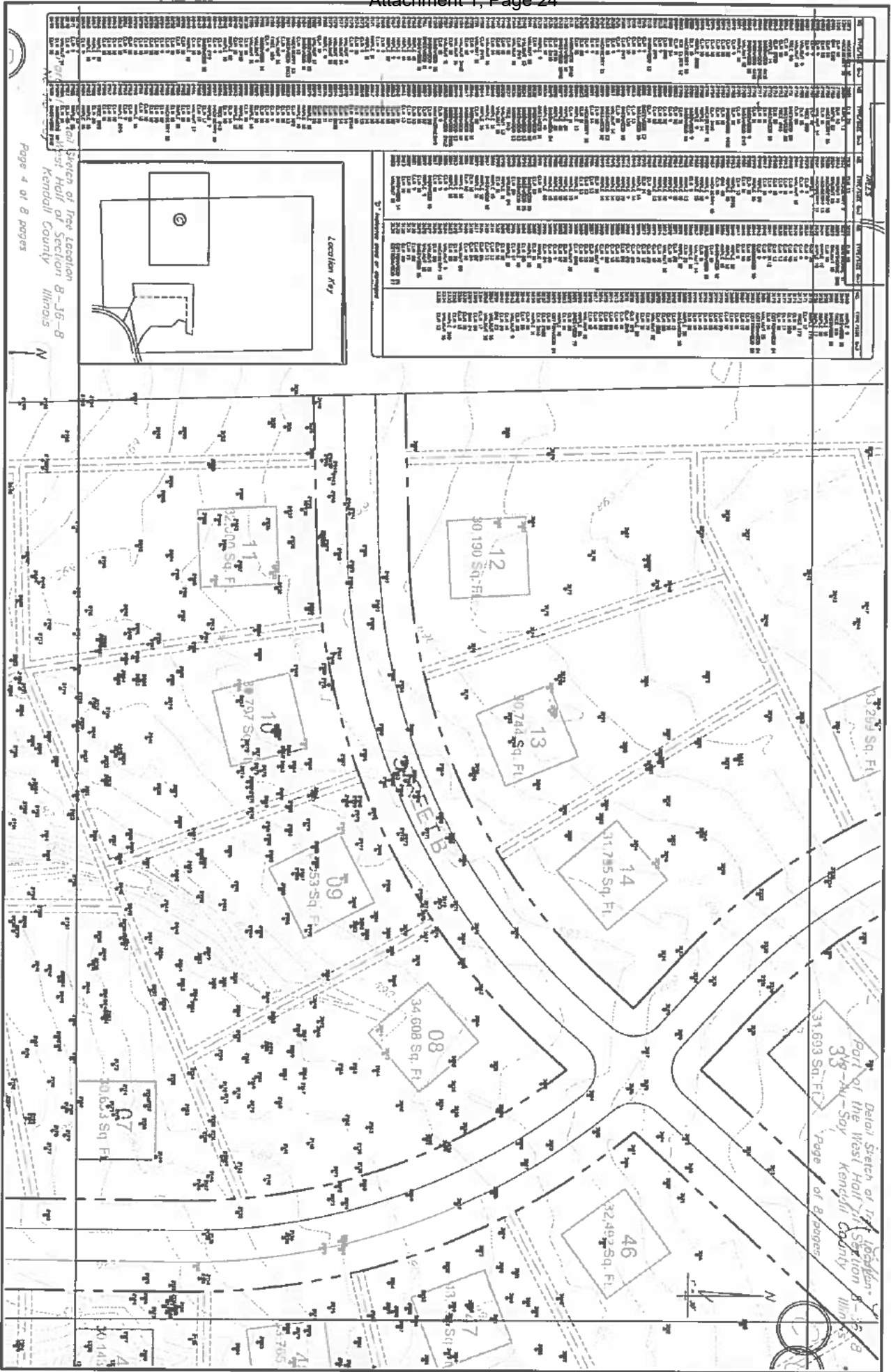


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Part of the West Half of Section 8-36-8  
Kendall County, Illinois

Page 2 of 8 pages



Section of Tree Location  
 B-36-8  
 Part of West Half of Section 8-36-8  
 Kendall County Illinois

Page 4 of 8 pages

Part of West Half of Section 8-36-8  
 Kendall County Illinois  
 Page of 8 pages



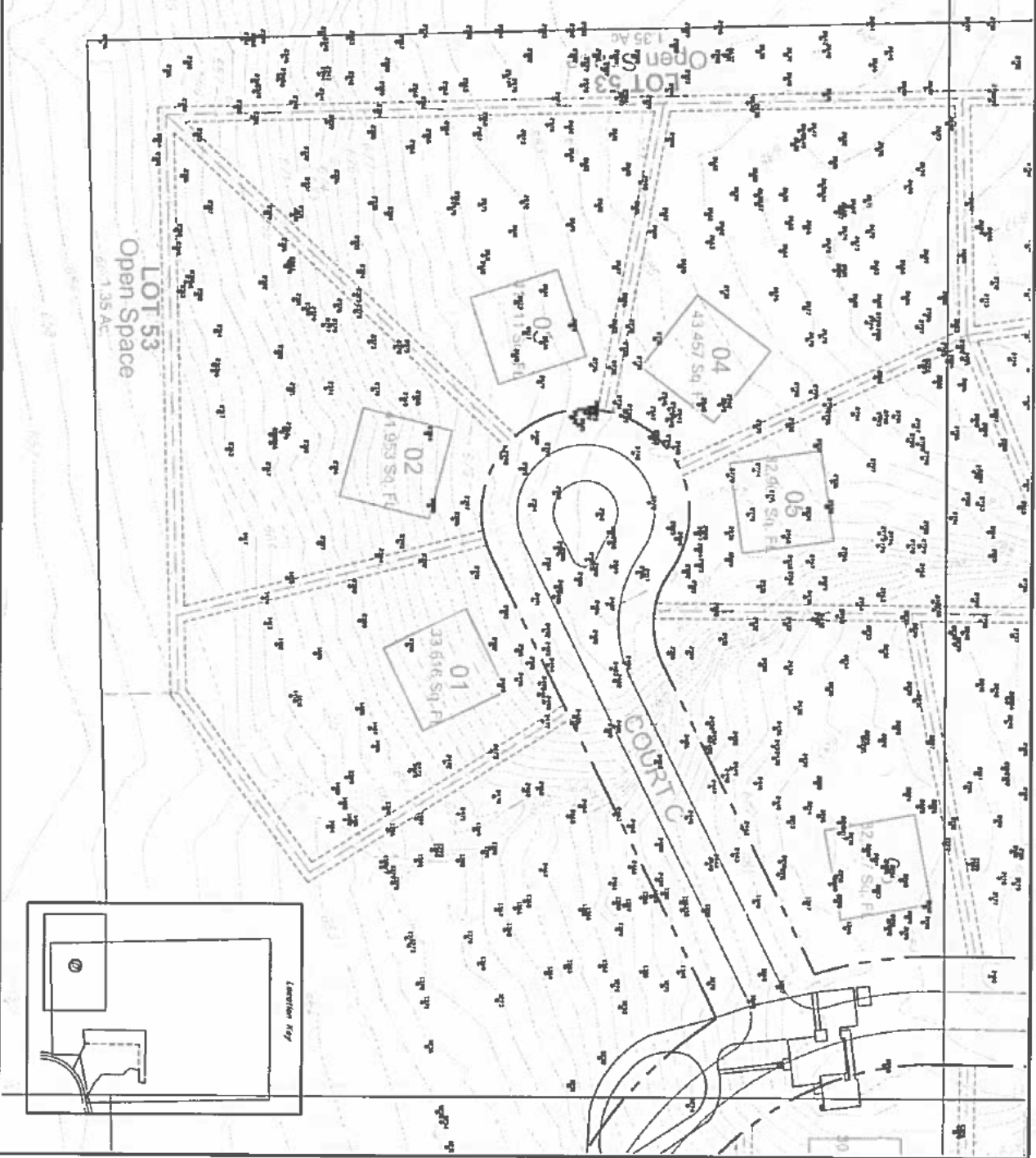
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Parcel of Tree Location 8-15-8  
West Hill of Section 8-15-8  
Kendall County Illinois

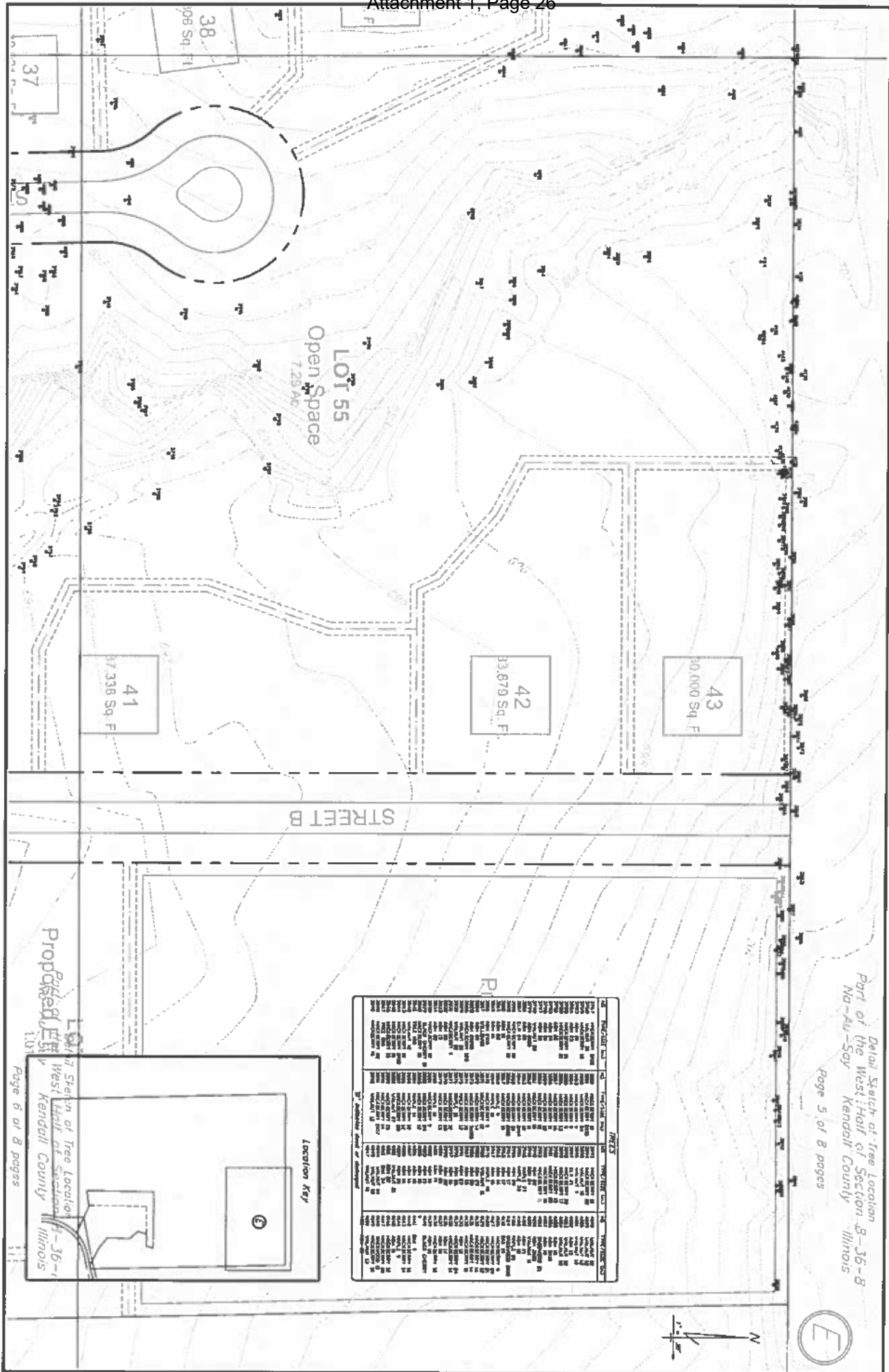
Page 4 of 8 pages



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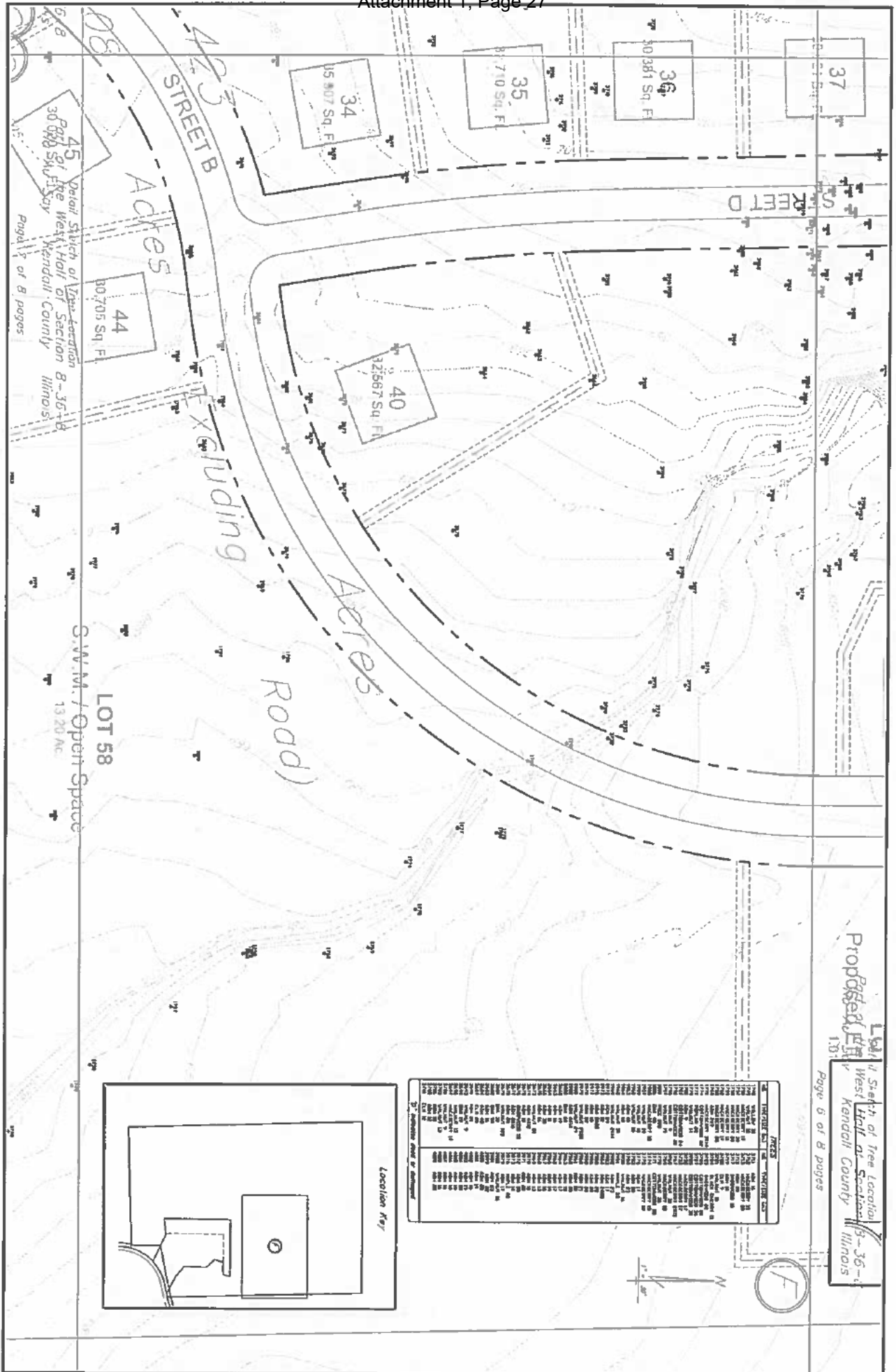


Detail Sketch of Tree Location  
 Part of the West Half of Section 8-36-B  
 Na-Au-Say Kendall County Illinois  
 Page 5 of 8 pages

Proposed  
 Section of Tree Location  
 West Half of Section 8-36-B  
 Kendall County Illinois  
 Page 6 of 8 pages

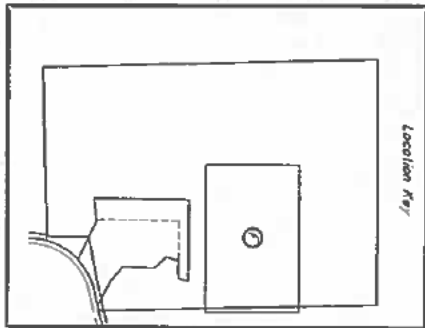
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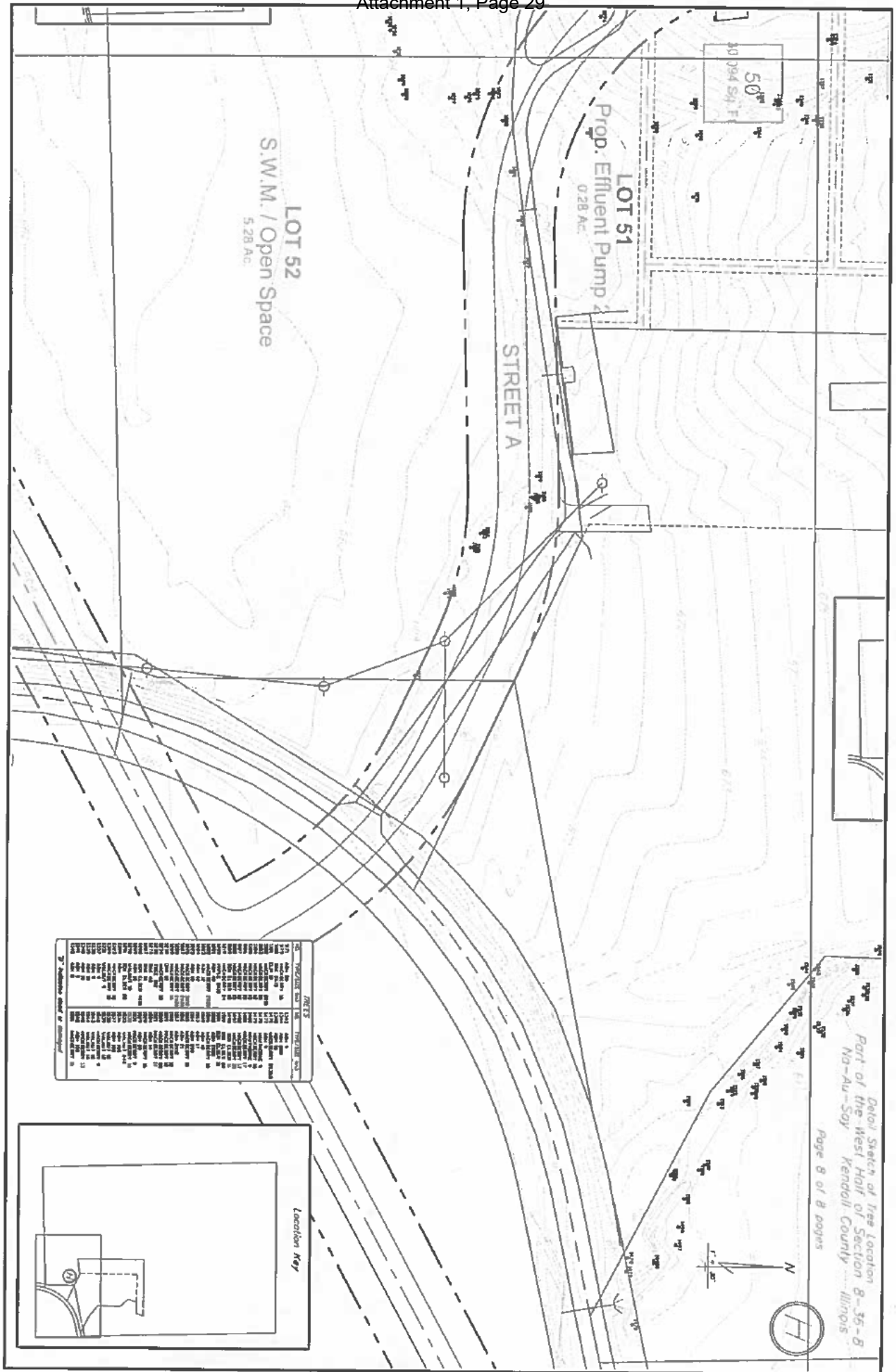


Lot 1/4 Sketch of Tree Location  
 West Half of Section 8-36-18  
 Kendall County Illinois

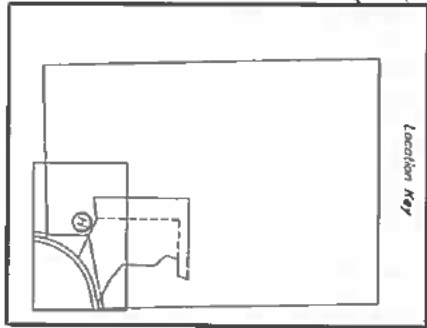
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Proposed Fire Station	13.20	100%







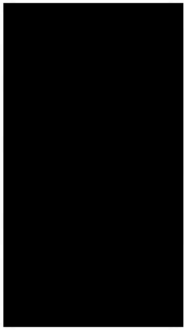
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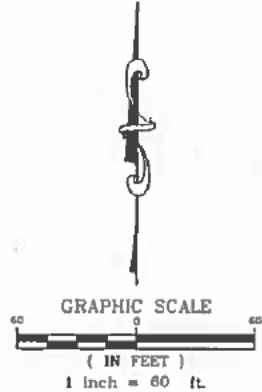
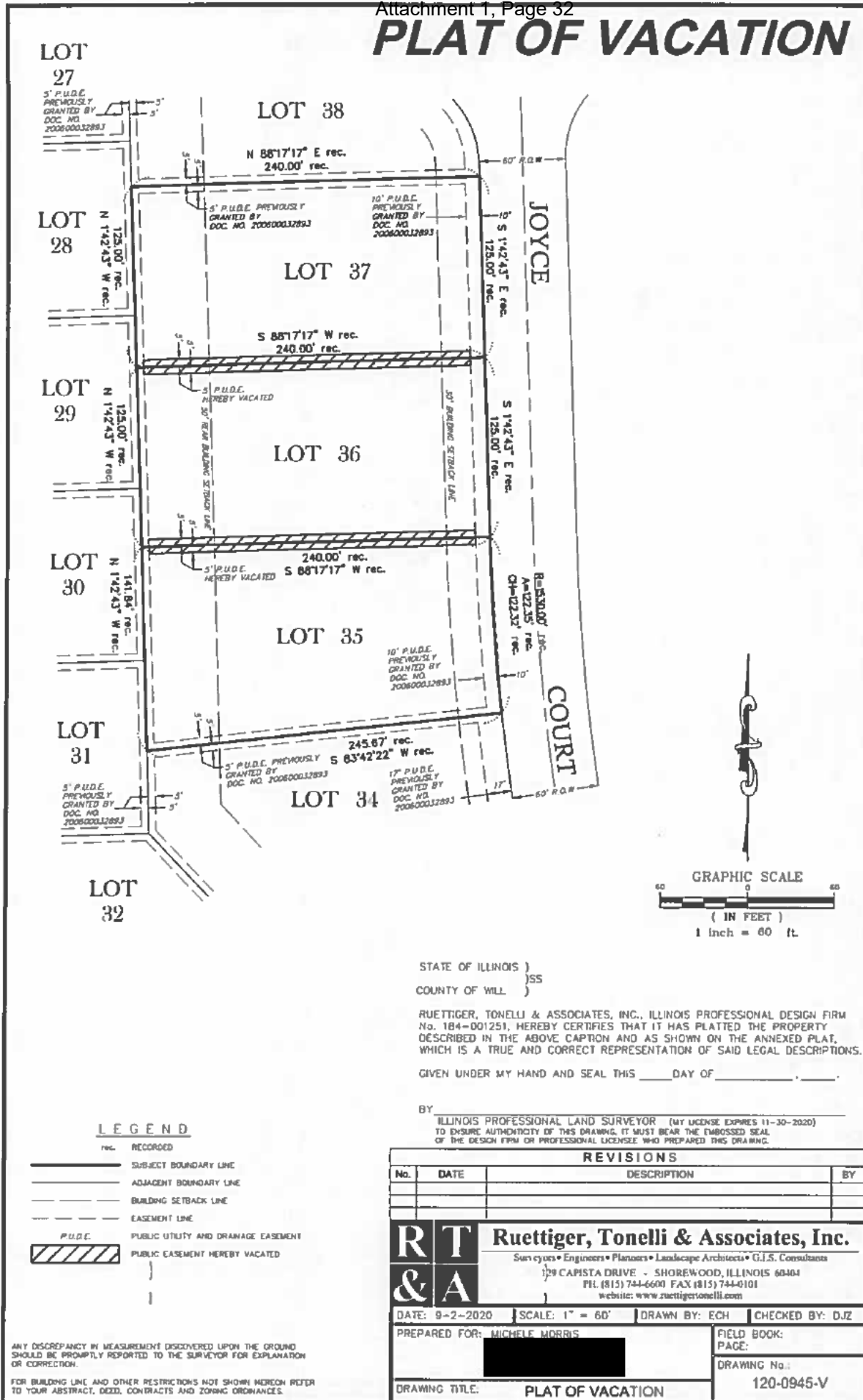
Michele Morris  
Michele Morris Realty



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- image005.jpg (63 KB)
- image006.jpg (54 KB)



# PLAT OF VACATION



STATE OF ILLINOIS )  
 )SS  
 COUNTY OF WILL )

RUETTIGER, TONELLI & ASSOCIATES, INC., ILLINOIS PROFESSIONAL DESIGN FIRM No. 184-001251, HEREBY CERTIFIES THAT IT HAS PLATTED THE PROPERTY DESCRIBED IN THE ABOVE CAPTION AND AS SHOWN ON THE ANNEXED PLAT, WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID LEGAL DESCRIPTIONS.

GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_.

BY \_\_\_\_\_  
 ILLINOIS PROFESSIONAL LAND SURVEYOR (MY LICENSE EXPIRES 11-30-2020)  
 TO ENSURE AUTHENTICITY OF THIS DRAWING, IT MUST BEAR THE EMBOSSED SEAL OF THE DESIGN FIRM OR PROFESSIONAL LICENSEE WHO PREPARED THIS DRAWING.

### LEGEND

- rec. RECORDED
- SUBJECT BOUNDARY LINE
- ADJACENT BOUNDARY LINE
- BUILDING SETBACK LINE
- EASEMENT LINE
- P.U.D.E. PUBLIC UTILITY AND DRAINAGE EASEMENT
- ▨ PUBLIC EASEMENT HEREBY VACATED

ANY DISCREPANCY IN MEASUREMENT DISCOVERED UPON THE GROUND SHOULD BE PROMPTLY REPORTED TO THE SURVEYOR FOR EXPLANATION OR CORRECTION.

FOR BUILDING LINE AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR ABSTRACT, DEED, CONTRACTS AND ZONING ORDINANCES.

### REVISIONS

No.	DATE	DESCRIPTION	BY

**RT & A** **Ruettiger, Tonelli & Associates, Inc.**  
 Surveyors • Engineers • Planners • Landscape Architects • G.I.S. Consultants  
 129 CAPISTA DRIVE - SHOREWOOD, ILLINOIS 60404  
 PH. (815) 744-6600 FAX (815) 744-0101  
 website: www.ruettiger-tonelli.com

DATE: 9-2-2020	SCALE: 1" = 60'	DRAWN BY: ECH	CHECKED BY: DJZ
PREPARED FOR: MICHELE MORRIS	FIELD BOOK: _____	PAGE: _____	
DRAWING TITLE: <b>PLAT OF VACATION</b>	DRAWING No. <b>120-0945-V</b>		

N:\120-0945-V\120-0945-V.dwg, Model: 8/27/2020 2:13:39 PM, drc:\drc\ton

**Matt Asselmeier**

---

**From:** Steve Dano <[REDACTED]>  
**Sent:** Friday, September 4, 2020 12:01 PM  
**To:** Matt Asselmeier; [REDACTED]  
**Subject:** [External]vacating utility easement

Sent from Mail for Windows 10  
To Mathew H. Asseimeier  
Senior Planner  
Kendall County Planning, Building and Zoning

The Morris's have informed the Grove Estates HOA of their request to your department to vacate the utility easement on lots 35/36 and 36/37 to allow for a larger home to be built. The Grove Estates HOA has no objection to this as long as your department is in agreement.

If you have further questions please contact us.

Thanks

Steven Dano  
Crestview Builders  
Grove Estates HOA  
[REDACTED]

9/3/2020





**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)  
October 6, 2020 – Unapproved Meeting Minutes**

PBZ Chairman Matthew Prochaska called the meeting to order at 9:01 a.m.

Present:

Matt Asselmeier – PBZ Department  
Lauren Belville – Health Department  
Brian Holdiman – PBZ Department  
Fran Klaas – Highway Department  
Commander Jason Langston – Sheriff's Department  
Alyse Olson – Soil and Water Conservation District  
Matthew Prochaska – PBZ Committee Chair

Absent:

Meagan Briganti – GIS  
Greg Chismark – WBK Engineering, LLC  
David Guritz – Forest Preserve

Audience:

Michele Morris, John Seheffer, and Paul Martin

**AGENDA**

Mr. Klaas made a motion, seconded by Commander Langston, to approve the agenda as presented. With a voice vote of seven (7) ayes, the motion passed.

**MINUTES**

Mr. Holdiman made a motion, seconded by Ms. Belville, to approve the September 1, 2020, meeting minutes. With a voice vote of seven (7) ayes, the motion passed.

**PETITIONS**

**Petition 20-23 Patrick and Michele Morris**

Mr. Asselmeier summarized the request.

A five foot (5') public utility and drainage easement exists on the north and south lot lines of Lots 35, 36, and 37 in the Grove Estates Subdivision.

Patrick and Michele Morris would like to merge the three (3) lots and construct a new house over the easements.

The application materials and plat of vacation were provided.

The property is addressed as 7229, 7251, and 7287 Joyce Court.

The property is approximately two (2) acres in size and is zoned RPD-2.

The current land use is Single-Family Residential. The future land use is Rural Residential.

Joyce Court is a local road maintained by Na-Au-Say Township. No trails are planned for the property.

There are no floodplains or wetlands on the property.

The adjacent land uses are Single-Family Residential. The adjacent zoning is RPD-2. The Land Resource Management Plan calls for the area to Rural Residential. The zoning districts within a half mile are A-1 and RPD-2.

Na-Au-Say Township was emailed information on September 22, 2020.

The Village of Oswego was emailed information on September 22, 2020.

The Oswego Fire Protection District was emailed information on September 22, 2020.

The total area proposed for vacation is approximately one tenth (0.1) of an acre.

The Petitioners provided information stating that none of the utilities or the homeowners' association were in opposition to this request.

Staff recommends that the requested vacation with the following conditions:

1. Lots 35, 36, and 37 of Grove Estates Subdivision shall not be sold as individual lots upon the successful recording of the plat of vacation (Attachment 2). Within ninety (90) days of the effective date of this ordinance, the Petitioner shall submit a parcel consolidation request to Kendall County.
2. This vacation shall become effective upon the successful recording of the plat of vacation in the timeframe outlined in Section 7.06.H of the Kendall County Subdivision Control Ordinance unless an extension is granted by the Kendall County Board.

Mr. Klaas asked if any utilities were located in the easements. Mr. Asselmeier said no utilities were located in the easements, per JULIE.

Mr. Klaas asked about access. Ms. Morris responded that two (2) driveways would be installed.

Mr. Asselmeier made a motion, seconded by Mr. Klaas, to recommend approval of the requested vacation. With a voice vote of seven (7) ayes, the motion passed.

The proposal goes to the Kendall County Planning, Building and Zoning Committee on October 14, 2020.

**Petition 20-24 Grainco FS, Inc.**

Mr. Asselmeier summarized the request.

Grainco FS, Inc. would like an amendment to the Future Land Use Map contained in the Land Resource Management Plan for approximately three point two more or less (3.2 +/-) acres located 17854 N. Wabena Avenue. If approved, the Petitioner would like to rezone the property to allow the operation of a company that performs construction and maintenance work for gas utilities. This use is not allowed on property zoned A-1 Agricultural. This use and the previous uses at the property (i.e. fertilizer plant) are either permitted or special uses on M-1 Limited Manufacturing zoned property.

The application materials and aerial were provided.

The property is approximately three (3) acres in size.

The existing land use is classified as Commercial. The future land use is classified as Agricultural.

Wabena Avenue is a Township maintained local road. There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad/public utility and agricultural. The adjacent zoning districts are A-1 in the County and M-1 in the Village of Minooka. The Land Resource Management Plan calls for the area to be Mixed Use Business in the County and Light Industrial in the Village of Minooka. Zoning districts within a half mile in the County include A-1 and B-3 and M-1 and R-2 inside the Village of Minooka.

Pictures of the property were provided.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit was provided. This special use permit is the second oldest active special use permit in unincorporated Kendall County.

Petition information was sent to Seward Township on September 23, 2020.

Petition information was sent to the Village of Minooka on September 23, 2020.

Petition information was sent to the Minooka Fire Protection on September 23, 2020.

The Village of Minooka's Future Land Use Map calls for this property to be Light Industrial.

The subject property has been used as a fertilizer plant since at least 1966. The proposed use and previous uses at the property since 1966 would be allowed by either permitted or special use on M-1 zoned property.

The Future Land Use Maps of both Kendall County and the Village of Minooka call for industrial related uses in the vicinity of the subject property.

A railroad is also located adjacent to the subject property.

Upon initial analysis, Staff has no objections to the proposed amendment.

Before issuing a final recommendation, Staff would like comments from Seward Township, the Village of Minooka, the Minooka Fire Protection District and ZPAC members.

Mr. Klaas asked why the property is not proposed for annexation into Minooka. Mr. Asselmeier responded that the Village of Minooka has not provided any comments on the proposal and the proposed change in the Future Land Use Map and map amendment would make the property compliant with County zoning. Mr. Klaas noted that jurisdiction of N. Wabena Avenue changes frequently in that area.

Ms. Belville noted that the septic system would need to be evaluated if the uses change.

Ms. Olson noted the limitations on development caused by the soils.

Mr. Asselmeier asked about the location utilities from the Village of Minooka. Mr. Martin responded that Minooka had not offered to extend municipal services to the property.

Mr. Asselmeier made a motion, seconded by Mr. Holdiman, to recommend approval of the requested amendment to the Kendall County Land Resource Management Plan. With a voice vote of seven (7) ayes, the motion passed.

The proposal goes to the Kendall County Regional Planning Commission on October 28, 2020.

**Petition 20-05 Grainco FS, Inc.**

Mr. Asselmeier summarized the request.

Grainco FS, Inc. leased the subject property to Pipe Strong, LLC, a company that performs construction and maintenance for gas utilities. This use is not a permitted or special use on A-1 zoned property, but is a permitted use on M-1 Limited Manufacturing zoned property. The main previous use at the property, a fertilizer plant, is a special use on M-1 Limited Manufacturing zoned property. Accordingly, the Petitioner would like to rezone the property to the M-1 Limited Manufacturing District.

The Petitioner is also pursuing an amendment to the Future Land Use Map reclassifying the subject property as Mixed Use Business.

The application materials and aerial of the property are provided.

The property is approximately three (3) acres in size.

The existing land use is classified as Commercial. The future land use is classified as Agricultural.

Wabena Avenue is a Township maintained local road. There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad/public utility and agricultural. The adjacent zoning districts are A-1 in the County and M-1 in the Village of Minooka. The Land Resource Management Plan calls for the area to be Mixed Use Business in the County and Light Industrial in the Village of Minooka. Zoning districts within a half mile in the County include A-1 and B-3 and M-1 and R-2 inside the Village of Minooka.

Pictures of the property were provided.

The existing special use permit was granted in 1966 for the mixing, blending, and manufacturing of fertilizers. A copy of the special use permit was provided. This special use permit is the second oldest active special use permit in unincorporated Kendall County.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on September 17, 2020.

Petition information was sent to Seward Township on September 23, 2020.

Petition information was sent to the Village of Minooka on September 23, 2020.

Petition information was sent to the Minooka Fire Protection on September 23, 2020.

Per State law, map amendments cannot be conditioned. However, Section 13:10 of the Kendall County Zoning Ordinance requires that manufacturing site plans be approved by the Kendall County ZPAC.

The Petitioner desires the map amendment in order to lease the property to a construction and maintenance company for gas utilities.

According to the application materials, Pipe Strong, LLC uses the subject property as a show-up yard for pre-job safety checks and re-tooling of supplies. The site is also used to store pipe fittings and safety supplies.

The Petitioner also indicated that a long-term use of the property has not been identified.

Any new structures would require applicable building permits. No new structures are planned at this time.

The property access North Wabena Avenue. North Wabena Avenue has an eight (8) ton weight restriction.

No new odors are foreseen, but the site plan for future commercial/industrial activities on the site should be examined to address odors.

Security lights are located on several of the structures. The site plan for future commercial/industrial establishments should be evaluated to address lighting.

Any fencing or buffering should be evaluated as part of the site plan review process.

Future development on the site could require stormwater management permits, depending on the nature of development.

Electricity is onsite. New well and septic information would have to be evaluated as part of a building permit process, if new construction is planned.

Before issuing a final recommendation, Staff would like comments from Seward Township, the Village of Minooka, the Minooka Fire Protection District, and ZPAC members.

Mr. Holdiman made a motion, seconded by Commander Langston, to recommend approval of the map amendment. With a voice vote of seven (7) ayes, the motion passed.

The proposal goes to the Kendall County Regional Planning Commission on October 28, 2020.

#### **REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD**

Mr. Asselmeier stated that Petition 19-39 Map Amendment and Special Use Permit for Four Seasons Storage and Petition 20-15 Final Plat Approval for the Go Pro Sports Subdivision passed at the County Board.

Mr. Asselmeier stated that Petition 20-14 Zoning Ordinance Project passed at the County Board with an amendment removing the language regarding research related home occupations and an amendment removing the soils requiring non-traditional septic systems from the calculation of open space.

Mr. Asselmeier reported that Petition 20-21 Fee Schedule Amendment passed at the County Board. The fee for conditional use permits for beekeeping would be One Hundred Dollars (\$100), the same as other conditional use permits. The annual permit renewal fee for beekeeping was removed.

**OLD BUSINESS/NEW BUSINESS**

**Recommendation on Fiscal Year 2020-2021 Meeting Calendar**

Mr. Klaas made a motion, seconded by Commander Langston to recommend approval of the meeting calendar as presented. With a voice vote of seven (7) ayes, the motion passed.

**CORRESPONDENCE**

None

**PUBLIC COMMENT**

None

**ADJOURNMENT**

Ms. Olson made a motion, seconded by Commander Langston, to adjourn. With a voice vote of seven (7) ayes, the motion passed.

The ZPAC, at 9:17 a.m., adjourned.

Respectfully Submitted,  
Matthew H. Asselmeier, AICP, CFM  
Senior Planner

Enc.

**KENDALL COUNTY  
ZONING & PLATTING ADVISORY COMMITTEE  
OCTOBER 6, 2020**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
<i>Paul Martin</i>	<i>For Grainco F.S.</i>	[REDACTED]
<i>John Schepfer</i>	<i>For Grainco F.S.</i>	
<i>Michele Morris</i>		[REDACTED]



State of Illinois  
County of Kendall

Zoning Petition  
#20-23

**ORDINANCE NUMBER 2020-\_\_\_\_\_**

**APPROVING A PLAT OF VACATION OF FIVE FOOT PUBLIC UTILITY AND DRAINAGE EASEMENTS ALONG THE SOUTH PROPERTY LINE OF LOT 37, NORTH AND SOUTH PROPERTY LINES OF LOT 36, AND NORTH PROPERTY LINE OF LOT 35 IN GROVE ESTATES SUBDIVISION ON PARCELS IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS 06-08-101-021, 06-08-101-022, AND 06-08-101-023 IN NA-AU-SAY TOWNSHIP**

WHEREAS, Section 7.06 of the Kendall County Subdivision Control Ordinance permits the Kendall County Board to approve plats of vacation and provides the procedure through which plats of vacation are approved; and

WHEREAS, the four five-foot public utility and drainage easements which are the subject of this Ordinance were established by Ordinance 2006-36 which granted approval of a final plat of Grove Estates Subdivision and was approved by the Kendall County Board on May 16, 2006; and

WHEREAS, the final plat of Grove Estates Subdivision was recorded in the Kendall County Recorder of Deeds Office on October 12, 2006; and

WHEREAS, the four five-foot public utility and drainage easements which are the subject of this Ordinance are located along and parallel to the south property line of Lot 37, the north and south property lines of Lot 36 and the north property line of Lot 35 in Grove Estates Subdivision. The legal descriptions of the easements are set forth in Exhibit A attached hereto and incorporated by reference; and

WHEREAS, on or about June 28, 2019, Michele and Patrick Morris acquired ownership of Lot 35 of Grove Estates Subdivision and the property identified by Parcel Identification Number 06-08-101-021; and

WHEREAS, on or about July 30, 2020, Michele and Patrick Morris acquired ownership of Lots 36 and 37 of Grove Estates Subdivision and the properties identified by Parcel Identification Numbers 06-08-101-022 and 06-08-101-023; and

WHEREAS, on or about September 10, 2020, Michele and Patrick Morris, hereinafter referred to as "Petitioner," filed a petition for approval of a plat of vacation of the five-foot public utility and drainage easements located along the south property line of Lot 37, the north and south property lines of Lot 36, and the north property line of Lot 35; and

WHEREAS, on October 6, 2020, the Kendall County Zoning, Platting and Advisory Committee has reviewed this petition and has forwarded to the Kendall County Board a recommendation of approval with conditions of the requested plat; and

WHEREAS, on October 14, 2020, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the information presented and recommendation of the Kendall County Zoning, Platting and Advisory Committee, and has forwarded to the Kendall County Board a recommendation of **approval with conditions/denial/neutral** of the requested plat of vacation; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the recommendation of the Kendall County Zoning, Platting and Advisory Committee, and has determined that said petition is in conformance with the provisions and intent of the Kendall County



State of Illinois  
County of Kendall  
Zoning Subdivision Control Ordinance and other applicable Ordinances; and

Zoning Petition  
#20-23

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Kendall County Board hereby grants approval of Petitioners' petition for plat of vacation of the easements legally described in Exhibit A attached hereto and shown on the plat of vacation attached hereto as Exhibit B.
2. Lots 35, 36, and 37 of Grove Estates Subdivision shall not be sold as individual lots upon the successful recording of the plat of vacation attached hereto as Exhibit B. Within ninety (90) days of the effective date of this ordinance, the Petitioner shall submit a parcel consolidation request to Kendall County.
3. This vacation shall become effective upon the successful recording of Exhibit B in the timeframe outlined in Section 7.06.H of the Kendall County Subdivision Control Ordinance unless an extension is granted by the Kendall County Board.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 20<sup>th</sup> day of October, 2020.

Attest:

\_\_\_\_\_  
Kendall County Clerk  
Debbie Gillette

\_\_\_\_\_  
Kendall County Board Chairman  
Scott R. Gryder

Exhibit A

LEGAL DESCRIPTION OF EASEMENT ON LOT 35 TO BE VACATED:

THE NORTH 5.00 FEET OF LOT 35, EXCEPT THE WEST 5.00 FEET AND EXCEPT THE EAST 10.00 FEET THEREOF, IN GROVE ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2006 AS DOCUMENT NUMBER R200600032893, NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF EASEMENT ON LOT 36 TO BE VACATED:

THE NORTH 5.00 FEET AND THE SOUTH 5.00 FEET OF LOT 36, EXCEPT THE WEST 5.00 FEET AND EXCEPT THE EAST 10.00 FEET THEREOF, IN GROVE ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2006 AS DOCUMENT NUMBER R200600032893, NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF EASEMENT ON LOT 37 TO BE VACATED:

THE SOUTH 5.00 FEET OF LOT 37, EXCEPT THE WEST 5.00 FEET AND EXCEPT THE EAST 10.00 FEET THEREOF, IN GROVE ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2006 AS DOCUMENT NUMBER R200600032893, NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS.

