DATE: April 9, 2024

TO: Joliet Plan Commission

FROM: Planning Staff

SUBJECT: V-1-24: Vacation of a Portion of a 2.5-Foot-Wide Side Yard Drainage Easement and a Portion of a Storm Water Detention Easement Located at 2909 Campbell Street

GENERAL INFORMATION:

APPLICANT:	Kevin Pastori
STATUS OF APPLICANT:	Owner
REQUESTED ACTION:	Vacation of portions of a drainage easement and a storm water easement
PURPOSE:	To allow the existing garage and driveway within the easement to remain
EXISTING ZONING:	R-2 (Single-Family Residential)
LOCATION:	2909 Campbell Street
EASEMENT SIZE:	Drainage easement: approx. 2.5' x 112' Storm water easement: approx. 7' x 36.5' and 3.5' x 76'
EXISTING LAND USE:	Single-family residence and storm water detention basin

SURROUNDING LAND USE & ZONING:

NORTH: Residential, R-2
SOUTH: Residential, R-2
EAST: Residential, R-2
WEST: Residential (storm water lot), R-2

SITE HISTORY:

The subject property is Lot 96 and Lot 96A of Old Kent Subdivision Unit 7, which was recorded in 2001. Lot 96 contains a single-family residence and a detached garage, built in 2001. Lot 96A is a storm water detention area. The 24-foot by 36-foot detached garage was built across the shared lot line between the house lot and the storm water lot,

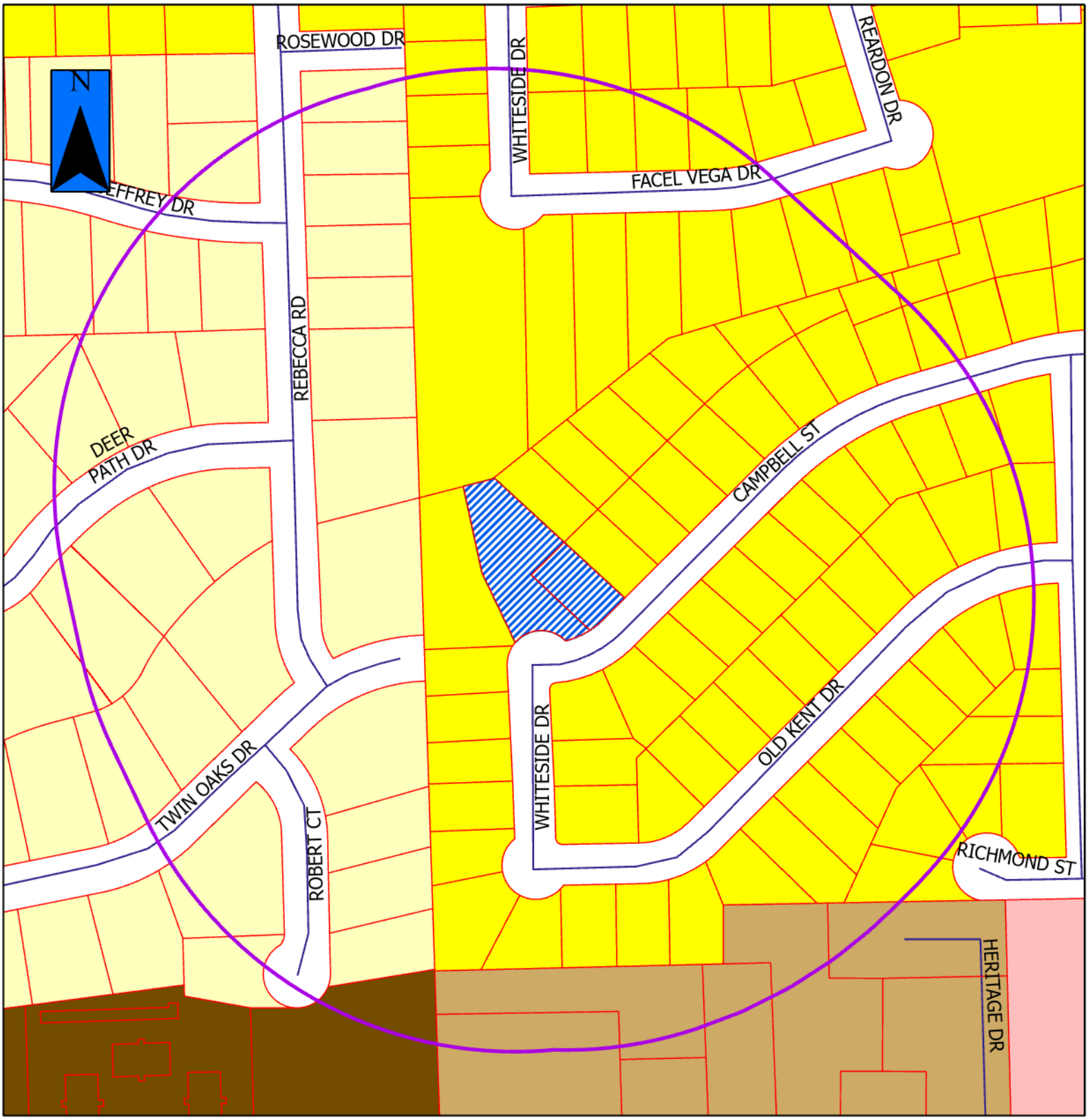
extending approximately 7 feet onto the storm water lot. The driveway also extends onto the storm water lot by approximately 3 feet.

The entirety of Lot 96A is a storm water detention easement. Lot 96 has a 2.5-foot side yard drainage easement along the west side. The garage and driveway encroach on both of these easements. The current owner purchased the property in 2011 and is now trying to formally correct the situation by vacating only those portions of the easements that lie under the existing garage and driveway.

SPECIAL INFORMATION: The petitioner and owner, Kevin Pastori, is requesting to vacate portions of a side yard drainage easement and a storm water detention easement to allow the existing garage and driveway to remain. The petitioner purchased the property, which includes both lots, in 2011, ten years after the house and garage had been built. Since that time, the petitioner and their attorney have been working with City staff to resolve the issue of having existing structures in the easements. At this time, City staff has determined that the owner can vacate the portions of the easements in which the existing garage and driveway are located.

The Public Utilities and Public Works Departments are not opposed to this request. Nicor and ComEd have responded that they are not opposed to the vacation request. No other notified utility companies have submitted a response regarding this request as of the writing of this staff report.

ANALYSIS: Approval of the vacation of the portions of these easements will allow the existing detached garage and driveway to remain as they were built in 2001.



V-1-24

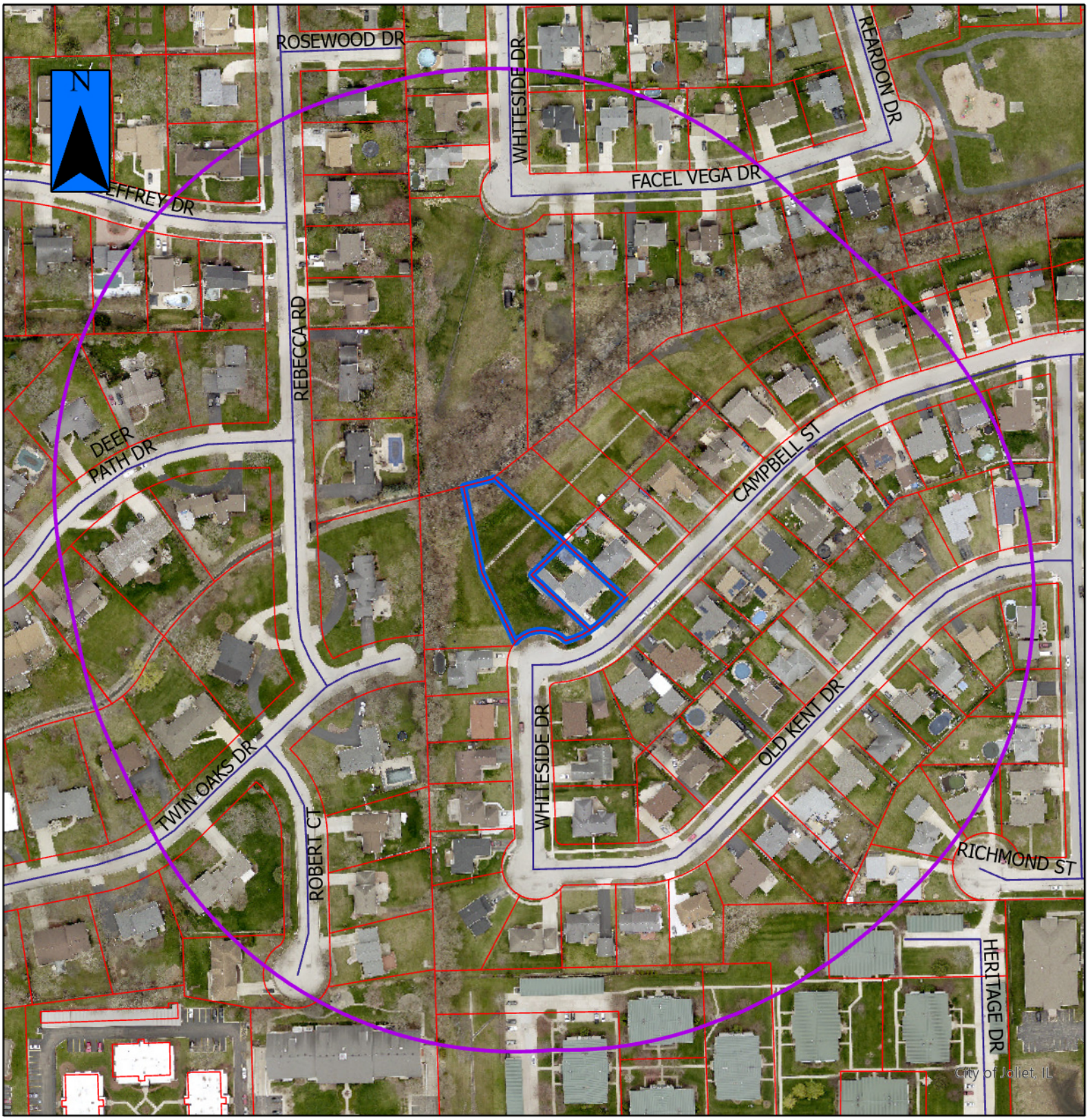
JOLIET PLANNING DIVISION

= Property in Question

= 600' Public Notification Boundary

Legend

B-1	I-TA	R-2
B-2	I-TB	R-2A
B-3	I-TC	R-3
I-1	R-1	R-4
I-2	R-1A	R-5
I-T	R-1B	R-B



V-1-24a

JOLIET PLANNING DIVISION
DIVISIÓN DE PLANIFICACIÓN

= Property in Question / Propiedad en cuestión

= 600' Public Notification Boundary / Límite de notificación pública de 600 ft (180 m)

Figure 1: Aerial view of Lot 96 and Lot 96A at 2909 Campbell Street (2022)

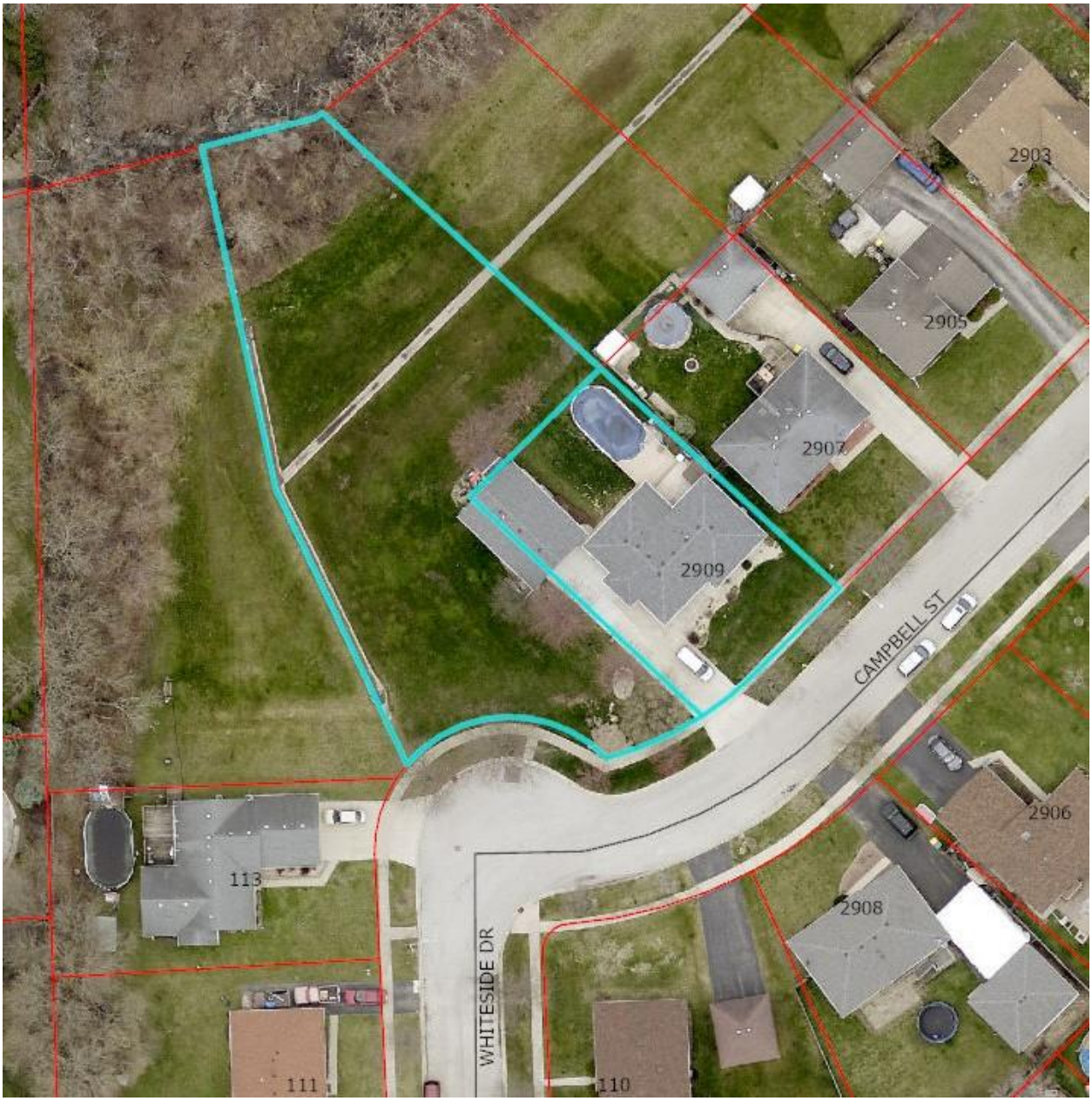


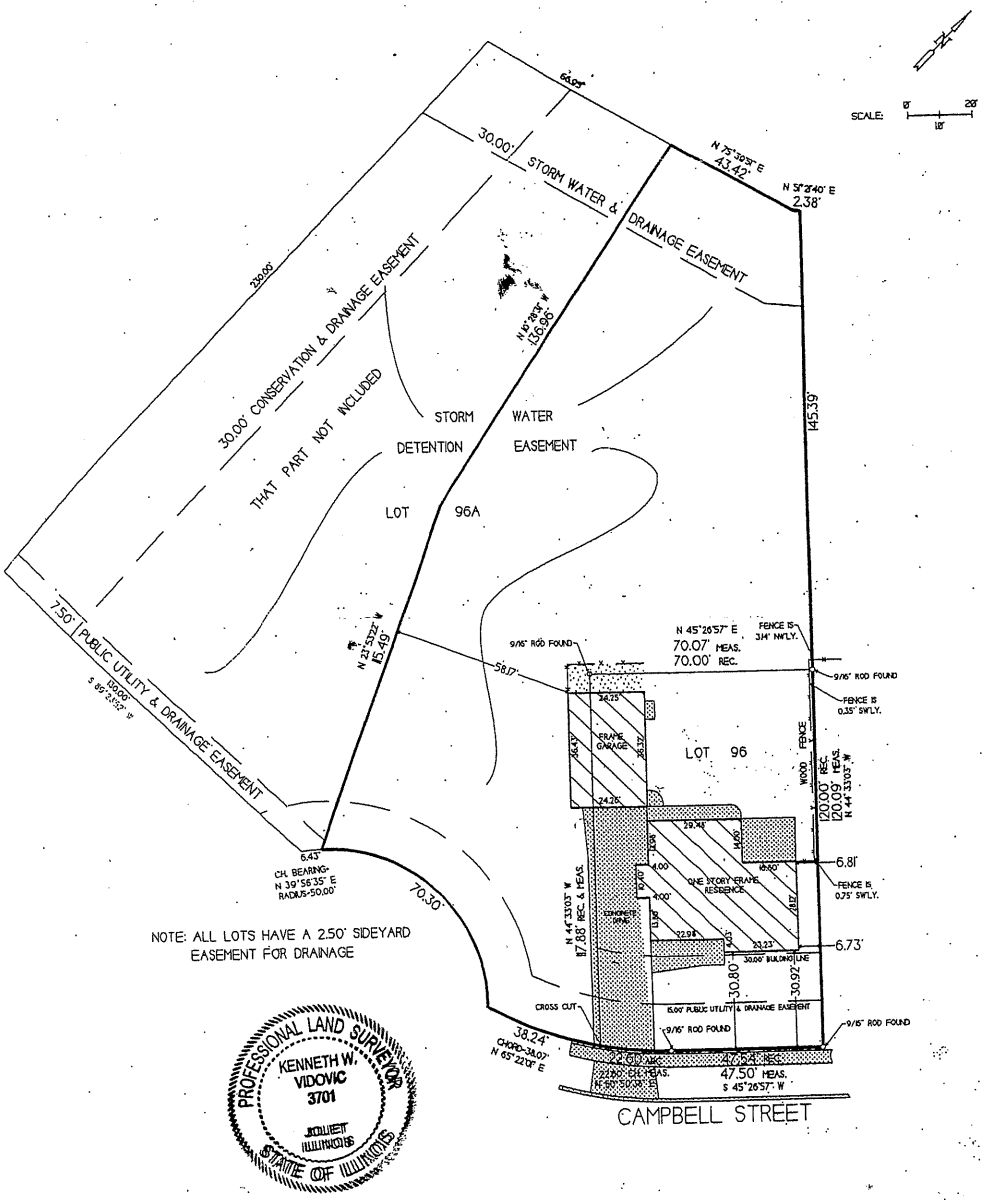
Figure 2: 2909 Campbell Street – house on right, storm water area on left (April 2024)

Figure 3: Existing garage at 2909 Campbell Street (April 2024)

PLAT OF SURVEY

LOT 96 AND 96 A (EXCEPT THAT PART OF LOT 96A LYING WESTERLY OF A LINE DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 96A: THENCE NORTH 89 DEGREES 23 MINUTES 52 SECONDS EAST 130.00 FEET; ALONG THE SOUTHERLY LINE OF SAID LOT 96A, TO A POINT ON A CURVE; THENCE NORTHEASTERLY 6.43 FEET, ALONG SAID SOUTHERLY LINE OF LOT 96A, BEING A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 39 DEGREES 56 MINUTES 35 SECONDS EAST 6.43 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 23 DEGREES 53 MINUTES 22 SECONDS WEST 115.49 FEET; THENCE NORTH 10 DEGREES 28 MINUTES 31 SECONDS WEST 136.96 FEET, TO THE POINT OF TERMINUS ON THE NORTHERLY LINE OF SAID LOT 96A, SAID POINT BEING 66.95 FEET NORTHEASTERLY OF THE NORTHWEST CORNER OF SAID LOT 96A, AS MEASURED ALONG THE NORTHERLY LINE OF SAID LOT 96A) IN OLD KENT SUBDIVISION UNIT 7, A SUBDIVISION OF PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 9. EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 27, 2001 AS DOCUMENT NO. R2001-048818, IN WILL COUNTY, ILLINOIS.

2909 CAMPBELL STREET
JOLIET, IL



NOTE: ALL LOTS HAVE A 2.50' SIDEYARD EASEMENT FOR DRAINAGE

PROFESSIONAL LAND SURVEYOR
KENNETH W. VIDOVIC
3701
JOLIET ILLINOIS
STATE OF ILLINOIS

COMMUNITY SURVEY INC.
68 N. CHICAGO STREET, SUITE 218
JOLIET, IL 60432

(815) 722-9005 (815) 722-9019 - fax
EMAIL: kvcommunitysurvey@att.net

DESIGN FIRM NO. 184-002899

CHECK DEED OR GUARANTEE POLICY FOR BUILDING LINE OR EASEMENT RESTRICTIONS NOT SHOWN ON PLAT OF SURVEY. COMPARE POINTS BEFORE BUILDING.

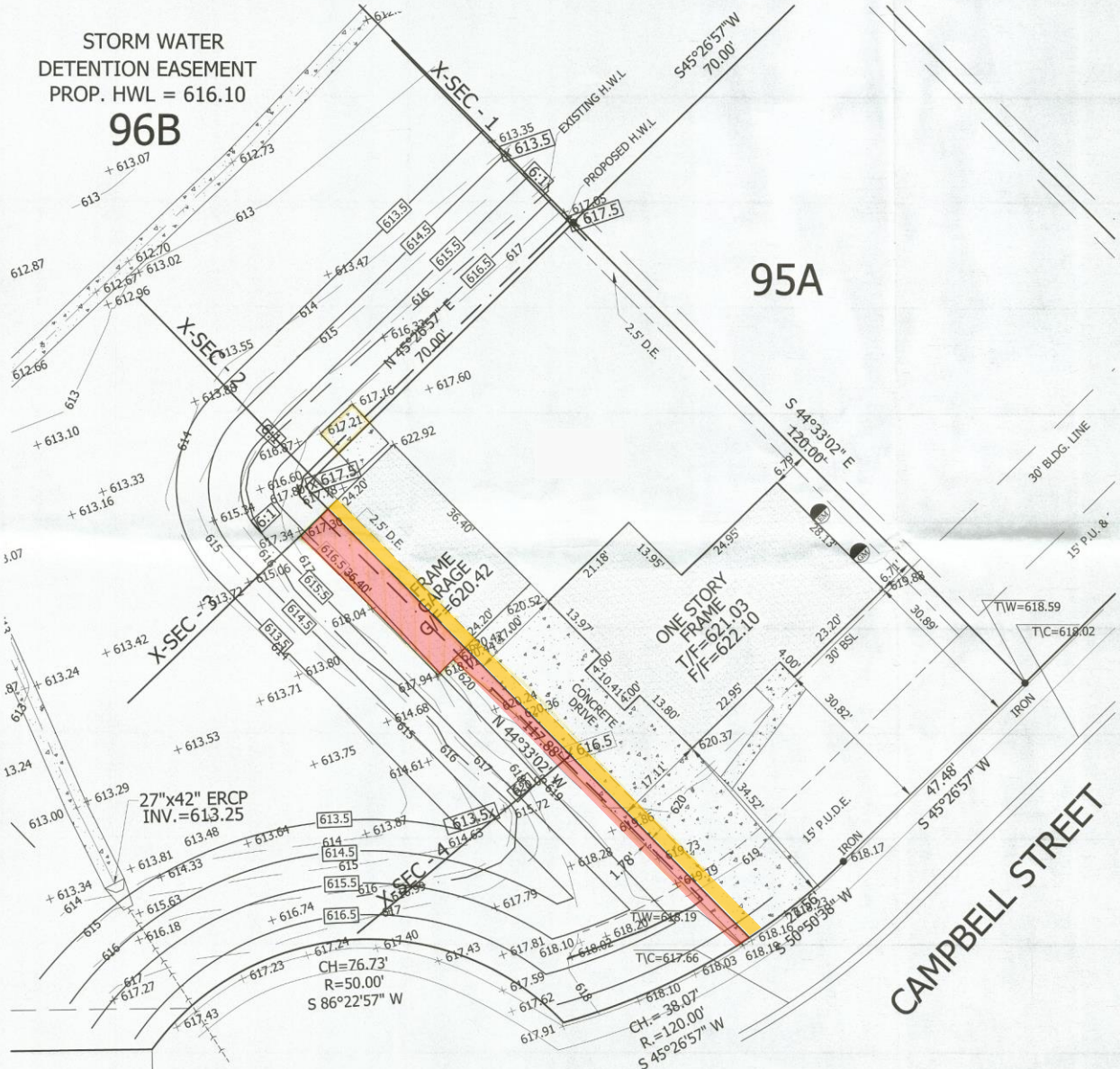
WE, COMMUNITY SURVEY INC., DO HEREBY CERTIFY THAT WE HAVE SURVEYED FOR DOUGLAS ZECH ABOVE DESCRIBED PROPERTY AND THIS PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY. GIVEN UNDER MY HAND SEAL THIS 28TH DAY OF APRIL 2011.
FIELD WORK 04/26/2011

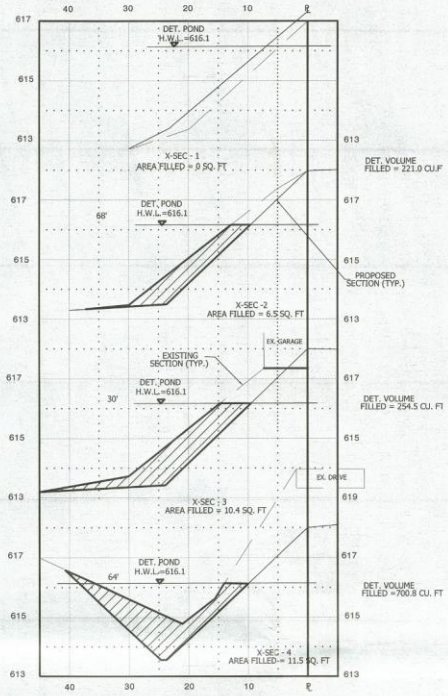
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

SURVEY NUMBER 11-17910

ILLINOIS LAND SURVEYOR NO. 3701
EXPIRES 11/30/2012

PLAT OF TOPOGRAPHY





TOTAL DET. VOLUME
FILLED =1,176 CU. FT. OR 0.027 ACRE-FT

CROSS-SECTIONS

SCALE: 1"=10' H
1"=2' V

NORTH

GRAPHIC SCALE

(IN FEET)
1 inch = 10 ft.

LEGEND

XXX.XX	PROPOSED ELEVATION
XXX.XX	EXISTING ELEVATION
T/F	TOP OF FOUNDATION
T/C	TOP OF CURB
G/F	GARAGE FLOOR
	BUFFALO BOX
	STORM MANHOLE
	SUMP PUMP
	STORM CATCH BASIN
	OVERLAND FLOOD ROUTE
	FLOW ARROW
613	EXISTING CONTOURS
613	PROPOSED GRADING PLAN CONTOURS
BSL	BUILDING SETBACK LINE
PUDE	PUBLIC UTILITY & DRAINAGE EASEMENT
x613.5	PROPOSED GRADING PLAN GRADE
x613.5	EXISTING GROUND ELEVATION

STATE OF ILLINOIS)
COUNTY OF WILL)
I, MICHAEL R. ROGINA, ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED IN THE ABOVE CAPTION AND THAT THIS PLAT OF TOPOGRAPHY IS A CORRECT REPRESENTATION THEREOF

DATED THIS 5TH DAY OF FEBRUARY, 2018

MICHAEL R. ROGINA I.P.L.S. 3516
LICENSE EXPIRES 11/30/2018

COMPARE DESCRIPTION AND POINTS BEFORE BUILDING AND REPORT ANY APPARENT DIFFERENCE TO THE SURVEYOR.
REFER TO DEED OR GUARANTEE TITLE POLICY FOR BUILDING LINE RESTRICTIONS OR EASEMENTS NOT SHOWN ON PLAT OF SURVEY.
TO INSURE AUTHENTICITY OF ANY COPIES, THEY MUST BEAR THE SURVEYOR'S IMPRESSED SEAL.
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

NOTE:

PROPOSED GRADING PLAN GRADES AND CONTOURS OBTAINED FROM ROGINA & ASSOCIATES, LTD. GRADING PLAN FOR OLD KENT SUBDIVISION UNITS 6 & 7, LAST REVISED 11/12/98.

BENCHMARK:

EXISTING 27" x 42" ERCP FLARED END SECTION INVERT AT THE SOUTHWEST CORNER OF THE DETENTION POND ELEVATION = 613.25 (NGVD29)

COMMONLY KNOWN AS:
2909 CAMPBELL STREET
JOLIET, ILLINOIS

05-06-12-312-049

LOT 96, IN OLD KENT SUBDIVISION UNIT 7

SCALE:	FIELDWORK DATE:	REVISED FIELDWORK DATE:	DRAWN BY:
1"=10'	11/30/17		JCC

ROGINA
ENGINEERS & SURVEYORS, L.L.C.
1225 Channahon Road Joliet, Illinois 815/729-0777 FAX 815/729-0782
Professional Design Firm License No. 184-006843 - Exp. 4/30/2019

ADLER LAW

FILE NO: 6323.01

Vacation 1: 2.5-foot drainage easement

Vacation 2: portion of stormwater detention easement

F.B.
PAGE

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CASE NO. _____

DATE FILED : _____

CITY PLAN COMMISSION
JOLIET, ILLINOIS
PETITION TO VACATE

PETITIONER'S NAME: Mr. & Mrs. Kevin Pastori c/o Daniel J. Adler

HOME ADDRESS: 2909 Campbell St. Adler Law Firm, P.C.

CITY, STATE, ZIP: Joliet, IL 60435 1616 W. Jefferson St.

HOME PHONE: 815-474-1490 Joliet, IL 60435

CELL # _____ **E-MAIL**: _____

BUSINESS ADDRESS: _____

CITY, STATE, ZIP: _____

BUSINESS PHONE: _____

LEGAL DESCRIPTION OF PROPERTY: SEE ATTACHED

We are asking the City of Joliet to vacate a part of the 2.5' wide drainage easement and a part of the 7.2' of the storm water detention easement.

COMMON ADDRESS: 2909 Campbell

PERMANENT INDEX NO. (Tax No.): 05-06-12-312-049-0000 and 05-06-12-312-072-0000

ROW/EASEMENT SIZE: Width _____ Depth _____ Area _____

PROPOSED USE AFTER VACATION: Residential

USES OF SURROUNDING PROPERTIES: North: _____

South: _____

East: _____

West: _____

REASON FOR REQUEST: Part of the garage which existed when I purchased the property is on the easement.

Is the Property owned by the City of Joliet? YES _____ NO X

What portion of the right-of-way do you wish to own as a result of the vacation or what portion of the easement do you wish to vacate? See legal description attached.

I understand that I will be required to pay for an appraisal of the property requested to be vacated, and that I will be required to purchase it at fair market value established by that appraisal.

STATE OF ILLINOIS) ss
COUNTY OF WILL)

I, Kevin Pastori, depose and say that the foregoing statements are true and correct to the best of my knowledge and belief, I further state that I agree to be present in person or by representation when this petition is heard by the Plan Commission.

Petitioner's Signature

Subscribed and sworn to before me
this 10 day of Feb, 20 24

Notary Public

My Commission Expires:

"OFFICIAL SEAL"
DANIEL J. ADLER
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 9/24/2024

LEGAL DESCRIPTION FOR

VACATION OF THAT PART OF THE STORMWATER DETENTION EASEMENT BEING LOT 96A OF OLD KENT SUBDIVISION UNIT 7 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 96A; THENCE NORTHWESTERLY ALONG THE EASTERLY LINE OF LOT 96A A DISTANCE OF 111.88 FEET TO THE NORTHWESTERLY LINE OF AN EXISTING GARAGE; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID GARAGE A DISTANCE OF 7.04 FEET TO THE NORTHWEST CORNER OF SAID GARAGE; THENCE SOUTHEASTERLY ALONG THE WESTERLY LINE OF SAID GARAGE A DISTANCE OF 36.45 FEET TO THE SOUTHWEST CORNER OF SAID GARAGE; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID GARAGE A DISTANCE OF 3.50 FEET; THENCE SOUTHEASTERLY ALONG A LINE PARALLEL WITH THE EASTERLY LINE OF LOT 96A TO THE SOUTHERLY LINE OF 96A; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF LOT 96A TO THE POINT OF BEGINNING; SAID SUBDIVISION BEING A PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, LOCATED IN WILL COUNTY, ILLINOIS.

LEGAL DESCRIPTION FOR

VACATION OF THAT PART OF THE 2.50 FOOT DRAINAGE EASEMENT ON THE WESTERLY LINE OF LOT 96 OLD KENT SUBDIVISION UNIT 7 DESCRIBED AS FOLLOWS: BEGINNING ON THE SOUTHWESTERLY CORNER OF LOT 96; THENCE NORTHWESTERLY ALONG THE WESTERLY LINE OF SAID LOT 96 A DISTANCE OF 111.88 FEET TO THE NORTHWESTERLY LINE OF AN EXISTING GARAGE FOR THE POINT OF TERMINUS FOR THE VACATION OF THE 2.50' DRAINAGE EASEMENT; SAID SUBDIVISION BEING A PART OF THE EST HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, LOCATED IN WILL COUNTY, ILLINOIS.

CITY OF JOLIET OWNERSHIP DISCLOSURE FORM

The City of Joliet requires that applicants for zoning relief, subdivision approval, building permits and business licenses disclose the identity of all persons having an ownership interest in the business and the real property associated with the application. A copy of this form must be completed and submitted with other application materials. Failure to properly complete and submit this form may result in the denial of the application.

I. *INFORMATION ABOUT THE APPLICATION*

This form is submitted as part of an application for the following (check all that apply):

- ☐ Rezoning, Special Use Permit, Variation, or Other Zoning Relief (Complete Sections II and III)
- ☐ Preliminary Plat, Final Plat, or Record Plat of Subdivision (Complete Sections II and III)
- ☐ Building Permit (Complete Sections II and III)
- ☐ Business License (Complete All Sections)

II. *INFORMATION ABOUT THE PROPERTY*

The address and PIN(s) of the real property associated with this application are:

2909 Campbell, Joliet, IL 60435

PIN(s): 05-06-12-312-049-0000 and 05-06-12-312-072-0000

III. *PROPERTY OWNERSHIP*

Select the type of owner of the real property associated with this application and fill in the appropriate contact information below:

☒	**Individual:**	State the names, addresses, and phone #'s of the individual owner(s)
☐	**Corporation:**	State the names, addresses, and phone #'s of all persons holding 3% or more of the stock of the corporation and the percentage of shares held by such stockholders
☐	**Limited Liability Company:**	State the names, addresses, and phone #'s of all members of the company along with the percentage of ownership held by each member
☐	**Land Trust:**	State the names, addresses, and phone #'s of the trustee(s) and all beneficiaries
☐	**Partnership:**	State the names, addresses, and phone #'s of all partners
☐	**Other type of organization:**	State the names, addresses, and phone #'s of all persons having a legal or equitable ownership interest in the organization or the right to direct the affairs of the organization

Kevin Pastori - 2909 Campbell St., Joliet, IL 60435 - 815-474-1490

Marianna Pastori - 2909 Campbell St., Joliet, IL 60435

E-MAIL:_____ **FAX:**_____

IV. BUSINESS OWNERSHIP

If the owner of the business is different than the owner of the real property associated with the application, then the following information must be provided:

Select the type of business owner associated with this application and fill in the contact information below:

☐	**Individual:**	State the names, addresses, and phone #'s of the individual owner(s)
☐	**Corporation:**	State the names, addresses, and phone #'s of all persons holding 3% or more of the stock of the corporation and the percentage of shares held by such stockholders
☐	**Limited Liability Company:**	State the names, addresses, and phone #'s of all members of the company along with the percentage of ownership held by each member
☐	**Partnership:**	State the names, addresses, and phone #'s of all partners
☐	**Other type of organization:**	State the names, addresses, and phone #'s of all persons having a legal or equitable ownership interest in the organization

_____

_____

_____

_____

E-MAIL:_____ **FAX**:_____

NOTE:
If a stockholder, member, beneficiary or partner disclosed in Section III or Section IV is not an individual, then the individuals holding the legal or equitable title to the real property or business associated with the application must also be disclosed. For example, if the real property associated with an application is owned by a land trust, and the beneficiary of the land trust is a limited liability company, then the members of the limited liability company must be disclosed. If one of the members of the limited liability company is a partnership, then the identity of the partners must be disclosed. If one of the partners is a corporation, then all persons owning 3% or more of the issued stock must be disclosed.

SIGNED: Daniel J. Adler

DATE: 2. 9. 24

Name, Title, and Telephone Numbers of Person Completing and Submitting This Form:

Daniel J. Adler, Attorney -Adler Law Firm - 815-744-5300

_____