

# KANE COUNTY DEVELOPMENT DEPARTMENT

Zoning Division, Kane County Government Center

719 S. Batavia Avenue  
Geneva, Illinois 60134  
Office (630) 444-1236

4556

Received Date

JUN 29 2020

Kane Co. Dev. Dept.  
Zoning Division

## APPLICATION FOR A VARIATION

### Instructions:

To request a variation for a property, complete this application and submit it with all required attachments to the Zoning Division.

The information you provide must be complete and accurate. If you have a question please call the subdivision and zoning division, and we will be happy to assist you.

<b>1. Property Information:</b>	<b>Parcel Number (s):</b> 1410300003, 1410300004
	<b>Street Address (or common location if no address is assigned):</b> 5S765 May Road, Sugar Grove, IL 60554

<b>2. Applicant Information:</b>	<b>Name</b> Matt Scudder	<b>Phone</b> 313-618-0906
	<b>Address</b> 5797 Danielle Ln.	<b>Fax</b>
	Yorkville, IL 60560	<b>Email</b> mattandkarascudder@gmail.com

<b>3. Record Owner Information:</b>	<b>Name</b> Gary A & Cynthia D Morettin	<b>Phone</b> mobile: 630-538-9791
	<b>*Address</b> 5s785 May Road, Sugar Grove, IL 60554	<b>Fax</b> na
		<b>Email</b> gmore0520@gmail.com

\*After 6/26/2020: 4A12 Remington Ct., Apple River, IL 61001

**Zoning and Use Information:**

Current zoning of the property: F District Farming

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Current use of the property: Residential Out Building

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**Reason for Request:**

Variation requested (state specific measurements):

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Set back on West is 8.69' and 8.98'. Requesting variance 8.69'.

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Reason for request: Existing building does not meet the minimum set back requirements for house on West lot line.

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**Action by Applicant on Property:**

What physical characteristics would prevent the property from being used in conformity with the requirements of the Zoning Ordinance?

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Just the set backs. (See above)

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Is the purpose of the proposed variation based on more than a desire to make money from the property? (explain)

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Purpose of proposed variance is to make it my personal home.

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Has the alleged difficulty or hardship been created by any person presently having an interest in the property? (explain)

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No, previous owner used building as an out building.

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The Kane County Zoning Ordinance requires that the Zoning Board of Appeals find that there is a practical difficulty or some particular hardship if existing regulations are applied. The Board must also consider certain factors related to the granting of a variance. As the Applicant, you should "make your case" by explaining how your request **will not:**

1. Impair an adequate supply of light and air to adjacent property.

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Structure is existing so will not change current supply of light and air.

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2. Increase the hazard from fire and other dangers to adjacent property.

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Structure is existing and is currently being heated with a wood burning heater. Renovation will include the installation of a furnace to heat the finished portion reducing the risk of fire.

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3. Diminish the value of adjacent land and buildings.

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Structure is existing so converting it to a home I believe will increase adjacent values.

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4. Increase congestion or create traffic hazards.

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Building is on a private drive that was confirmed to be adequate for a new home by the Sugar Grove Fire Marshall (See attached email). It will be a single family home so will have minimal affect on traffic in the area.

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5. Impair the public health, safety, comfort, morals and general welfare.

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Renovating existing structure to a single family home so it will not have an effect on the above.

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**Attachment Checklist**

- Plat of Survey prepared by an Illinois Registered Land Surveyor.
- Legal description
- Certification of Notification of adjacent property owners
- Trust Disclosure (If applicable)
- Application fee (make check payable to Kane County Development Department)
- Site Plan drawn to scale showing house, well and septic.

**I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.**

*Gary A Morettin*  
Record Owner

June 24, 2020

Date

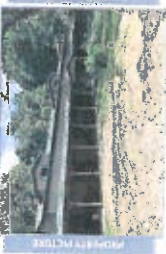
*West Luddy*  
Applicant or Authorized Agent  
Date

June 24, 2020

## Legal Description of Property

Lots 7 and 8 in Bliss Woods, Town of Sugar Grove, being a subdivision of plat of Sections 9 and 10, Township 38 North, Range 7 East of the third principal meridian, in Kane County, Illinois all being subject to perpetual easement for ingress, egress, regress and access over and upon the east 12 feet of said lot 8 innuing to the benefit of the lot owners of lot 9 in said bliss woods.

PROPERTY ADDRESS: 55765 MAY ROAD, SUGAR GROVE, ILLINOIS 60554  
 SURVITY NUMBER: 2006.0331



POWERED BY  
**STARS**  
 SURVEY TRACKING  
 AND RETRIEVAL SYSTEM  
 www.surveystars.com

CLIENT ORDER NUMBER: \_\_\_\_\_ DATE: 06/24/20  
 BUYER: \_\_\_\_\_  
 SELLER: \_\_\_\_\_  
 CERTIFIED TO: \_\_\_\_\_

CLIENT ORDER NUMBER: \_\_\_\_\_  
 BUYER: \_\_\_\_\_  
 SELLER: \_\_\_\_\_  
 CERTIFIED TO: \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_

LEGAL INTEREST: \_\_\_\_\_

POINTS OF INTEREST: \_\_\_\_\_

FLOOD INFORMATION: \_\_\_\_\_

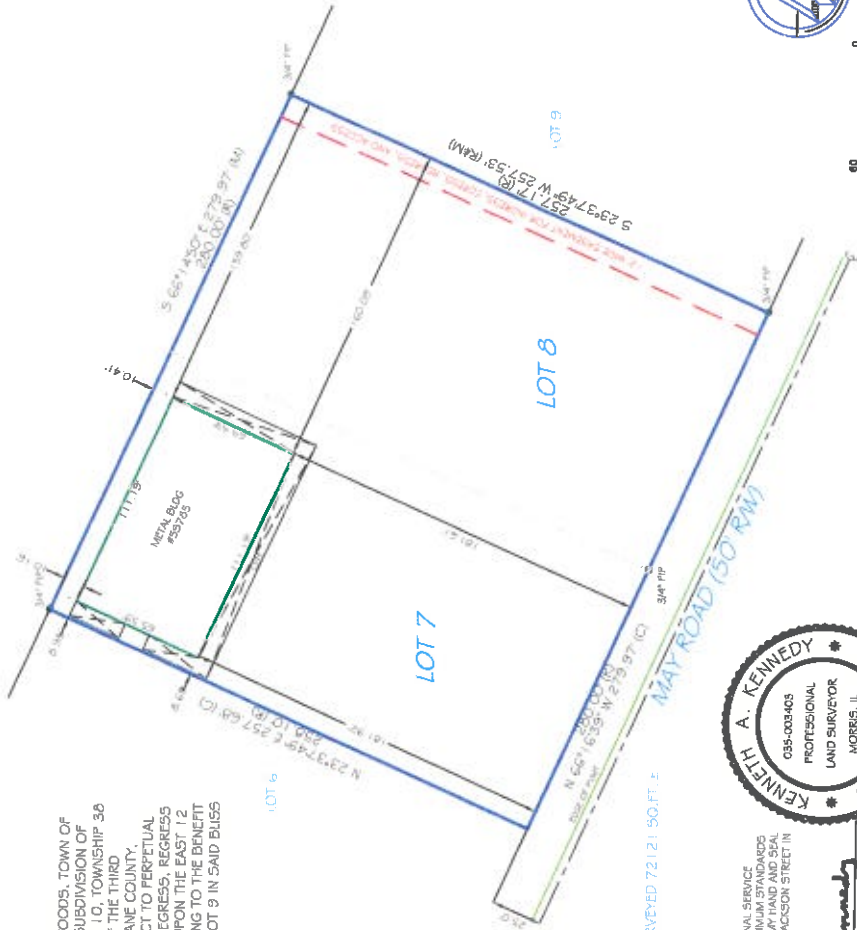
CONTRACTING NOTES: \_\_\_\_\_

THE cara PROGRAM  
 Collaborating. Saving.

FIELD WORK DATE: 4/4/2020 REVISION DATES: REV/2 6/29/2020 REV/3 6/29/2020 (REV/1 6/9/2020)

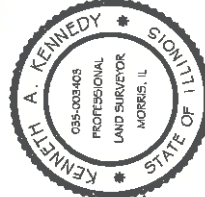
**2006.0331**  
**BOUNDARY SURVEY**  
**KANE COUNTY**

LOTS 7 AND 8 IN BLISS WOODS, TOWN OF SUGAR GROVE, BEING A SUBDIVISION OF PLAT OF SECTIONS 9 AND 10, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS ALL BEING SUBJECT TO PERPETUAL EASEMENT FOR INGRESS, EGRESS, REGRESS AND ACCESS OVER AND UPON THE EAST 1/2 FEET OF SAID LOT 8 INJURING TO THE BENEFIT OF THE LOT OWNERS OF LOT 9 IN SAID BLISS WOODS.



TOTAL AREA OF PROPERTY SURVEYED 72.121 90.0 FT. ±

STATE OF ILLINOIS } 55  
 COUNTY OF GRUNDY }  
 I, **Kenneth A. Kennedy**, THIS PROFESSIONAL SERVICE  
 CONFORM TO THE BEST OF MY KNOWLEDGE AND BELIEF  
 FOR A BOUNDARY SURVEY, GIVEN UNDER MY HAND AND SEAL  
 THIS 9TH DAY OF JUNE, 2020 AT 316 E. JACKSON STREET IN  
 MORRIS, IL 60450.



*Kenneth Kennedy*

ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3-403  
 LICENSE EXPIRES 11/30/2020  
 PROFESSIONAL DESIGN FIRM / 04008059-0005

Use of this Survey other than intended, without Written Verification, will be at the User's Sole Risk and without Liability to the Surveyor. Nothing herein shall be construed to give any Right or Benefit to anyone other than those Certified.

**CERTAIN WARRANTIES**  
 I, the undersigned, hereby warrant that the survey was made by me or under my direct supervision and that I am a duly Licensed Professional Land Surveyor in the State of Illinois. I warrant that the survey was made in accordance with the standards and practices of the profession and that the survey is true and correct to the best of my knowledge and belief. I warrant that the survey was made in accordance with the standards and practices of the profession and that the survey is true and correct to the best of my knowledge and belief. I warrant that the survey was made in accordance with the standards and practices of the profession and that the survey is true and correct to the best of my knowledge and belief.

**EXACTA**  
 LAND SURVEYORS, LLC

LB# 23309659  
 316 East Jackson, Morris, IL 60450  
 Phone: 773.865.4011

# COUNTY OF KANE

DEVELOPMENT DEPARTMENT  
Water Resources & Platting Division  
Paul M. Schuch, P.E., Director



County Government Center  
719 Batavia Avenue  
Geneva, Illinois 60134  
Water Resources — (708) 232-3497  
Platting & Environmental — (708) 232-3495  
FAX: (708) 232-3411

September 4, 1996

Mr. Gary Morettin  
2060 Dorset Drive  
Wheaton, IL 60187

RE: Frontage Variation  
Bliss Woods Subdivision (May Road)  
Sections 9 & 10 Sugar Grove Township

Dear Mr. Morettin:

On Tuesday, September 3, 1996, the Kane County Development Committee favorably approved your frontage variation request in accordance with Section 19-70 "Lot Access and Double Frontage", of the Kane County Subdivision Regulations. This variation was approved for the following buildable lots or combination of lots 4, 5 & 6, 7 & 8, 9 & 10. The committee did condition their approval subject to:

1. The private drive shall be constructed and maintained in accordance with the Kane County Division of Transportation requirements. Access easement language shall be reviewed and found acceptable by the Kane County Division of Transportation prior to recording of the easement plat.

If there are any questions regarding this frontage variation, please contact this office.

Sincerely,

KANE COUNTY DEVELOPMENT DEPARTMENT

Kenneth N. Anderson, Jr., Manager  
Platting and Environmental Section

KNA:nr  
cc: Ed Sieben  
Thomas Rickert

let.27b

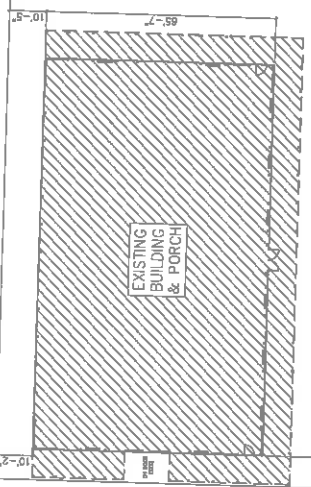


NOTE: THIS IS A SKETCH FOR REFERENCE ONLY. SEE PLAT SURVEYS FOR OFFICIAL DIMENSIONS.



GENERAL LOCATION OF FUTURE SEPTIC

LOT 8



EXISTING BUILDING & PORCH

LOT 7

GENERAL LOCATION OF FUTURE WELL

CURRENT DRIVEWAY

NEW DRIVEWAY TO BE ADDED IN 12'-0" SETBACK TO ACCESS EXISTING ON DOOR

LOT 6

PREVIOUS DRIVEWAY SHOWN ON PLAT SURVEY WAS RELOCATED



EXISTING BUILDING

LOT 5



140'-0"

140'-0"

140'-0"

297'-2"

14'-0"

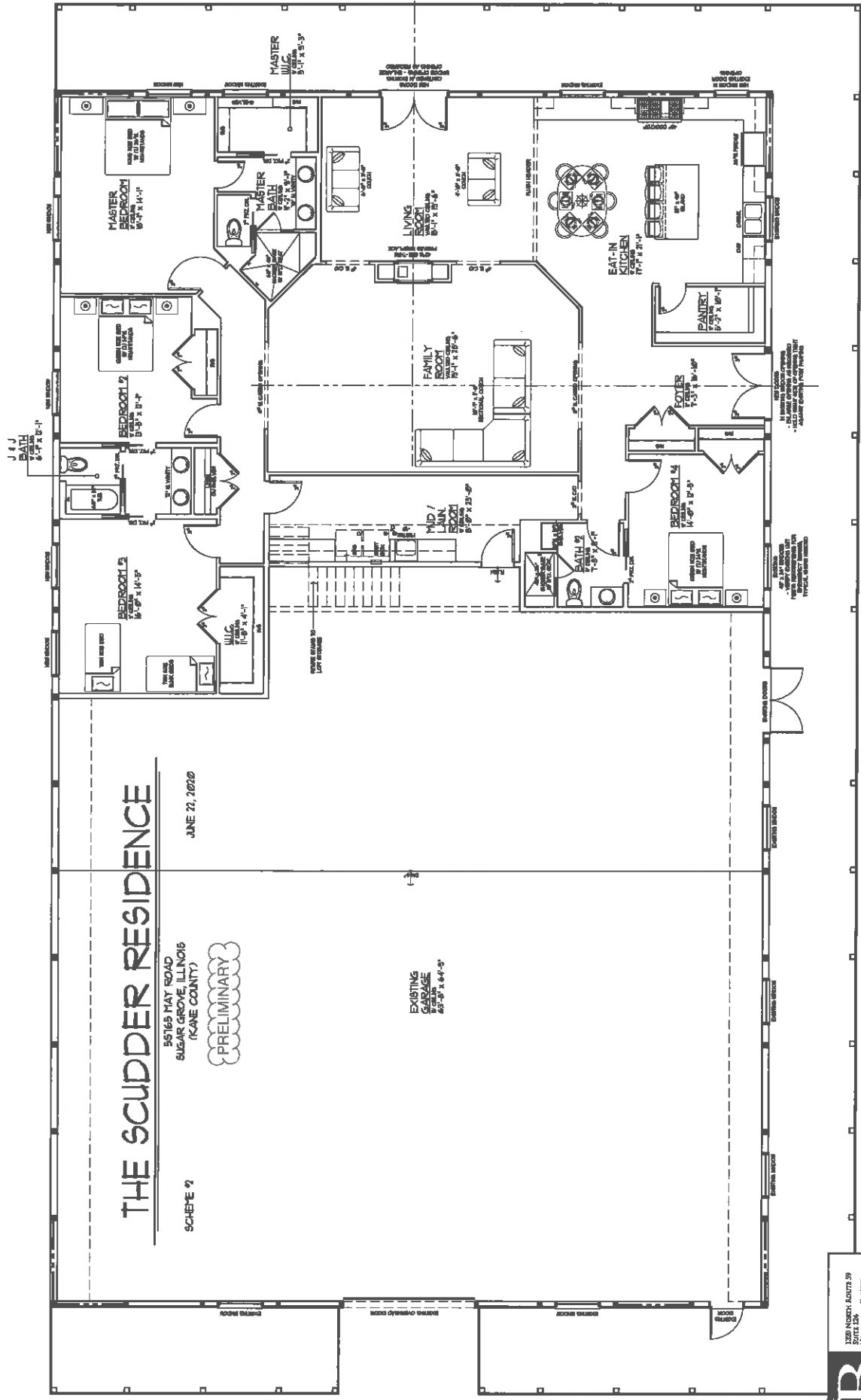
LOT 9

SEPTIC CAP

EXISTING BUILDING

WELL





# THE SCUDDER RESIDENCE

51165 MAY ROAD  
SUGAR GROVE, ILLINOIS  
(KANE COUNTY)

JUNE 21, 2010

SCHEME 2


PRELIMINARY

EXISTING  
GARAGE  
8' x 12' x 24' 6"

## FIRST FLOOR PLAN

SCALE 1/4" = 1'-0"

3274 SQ. FT.


**DESIGN - BUILD**  
 1000 N. MARYLAND AVENUE, SUITE 120  
 NAPERVILLE, IL 60563  
 630.251.1100  
 WWW.JBDESIGN.COM  
 27 YEARS IN BUSINESS

EASEMENT AGREEMENT

1890233 2/4

This EASEMENT AGREEMENT dated this 24 day of May, 2018 made and entered into by and between the fee simple title holders of LOT 6 ("GRANTORS") and the fee simple title holders of LOT 7 ("GRANTEES") of the following legally described Real Estate:



2018K025488  
SANDY WEGMAN  
RECORDER - KANE COUNTY, IL

RECORDED: 6/1/2018 11:14 AM  
REC FEE: 48.00 RHSPS FEE: 9.00  
PAGES: 3

**Lots 6 and 7 in Bliss Woods, Town of Sugar Grove, being a Subdivision of part of Sections 9 and 10, Township 38 North, Range 7 East of the Third Principal Meridian, in Kane County, Illinois.**

**LOT #6 14-10-300-002**

**LOT #7 14-10-300-003**

for the benefit of future Lot Owners of LOT 7 (GRANTEES), their successors, assigns and successors in title and their licensees, the Owners of LOT 6 (GRANTORS), their successors, assigns and successors in title grant an easement for access over the east twelve (12) feet of LOT 6. ("Easement Area") as delineated on the attached Exhibit "A" and under the terms contained herein

Gary A. Morettin and Cynthia D. Morettin at the time of this agreement own LOT 6 and LOT 7 and are known as "GRANTORS" and also the "GRANTEES".

The Plat of Subdivision is attached hereto and made a part hereof as EXHIBIT "A"

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein and other good and valuable consideration, in hand paid, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Grant of Access, Ingress, and Egress to Grantee.** The Grantor does hereby grant to Grantee, its successors and assigns, invitees, licensees, and agents a permanent, non-exclusive, right of ingress and egress over and upon the Easement Area. The use of the term "non-exclusive" herein shall mean that the ingress, egress and access rights granted pursuant to this Agreement shall be subject to the contemporaneous and continuing right of the Grantor, its licensees, and invitees to use the Easement Area for ingress, egress, and such maintenance of the Easement Area as Grantor may determine to be necessary and/or appropriate from time to time and as may be required.

3. **Limitations upon Grant.** It is agreed and understood that the rights granted herein are expressly limited as follows: the Grantee and Grantors, or their successors will use the right of ingress and egress in a manner which shall not unduly burden the parcel of GRANTOR.

The Easement Area shall be reasonably maintained by Grantee, so as not to interfere with their respective uses thereof. Notwithstanding the foregoing, neither Grantor nor Grantee shall be obligated to improve nor maintain nor repair any improved drive surface or other similar improvement within the Easement Area, provided, however, that if Grantee improves such drive or roadway, it shall then undertake maintenance of such improved drive or roadway. Nothing herein contained shall be deemed or construed

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to impose upon the Grantor or Grantee any obligations to clear the Easement Area of ice or snow, or take any affirmative action with respect to clearing any natural accumulations on the Easement Area for access purposes.

4. **Grants as Permanent.** Recording of Agreement. This Agreement is intended to represent permanent grants and it is intended to run with the lands of the parties hereto; accordingly, the parties shall cause a copy of this Grant of Easement to be recorded in the office of the Kane County Recorder.

Dated this 24 day of May, 2018

GRANTORS:

GRANTEES:

Gary A. Morettin  
GARY A. MORETTIN

Gary A. Morettin  
GARY A. MORETTIN

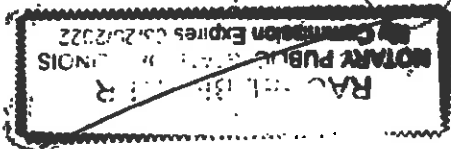
Cynthia D. Morettin  
CYNTHIA D. MORETTIN

Cynthia D. Morettin  
CYNTHIA D. MORETTIN

STATE OF ILLINOIS        )  
  ): S.S.  
COUNTY OF KANE        )

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that **Gary A. Morettin and Cynthia D. Morettin**, personally known to me to be the Grantors and Grantees herein, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged and signed and delivered the said instrument as Grantors and Grantees herein.

Given under my hand and official seal this 24 day of May 2018



Rachel Brewer  
Notary Public

PREPARED BY AND RETURN TO:

Attorney Mark Sansonetti  
5521 N. Cumberland Avenue  
Suite 1109  
Chicago, IL 60656

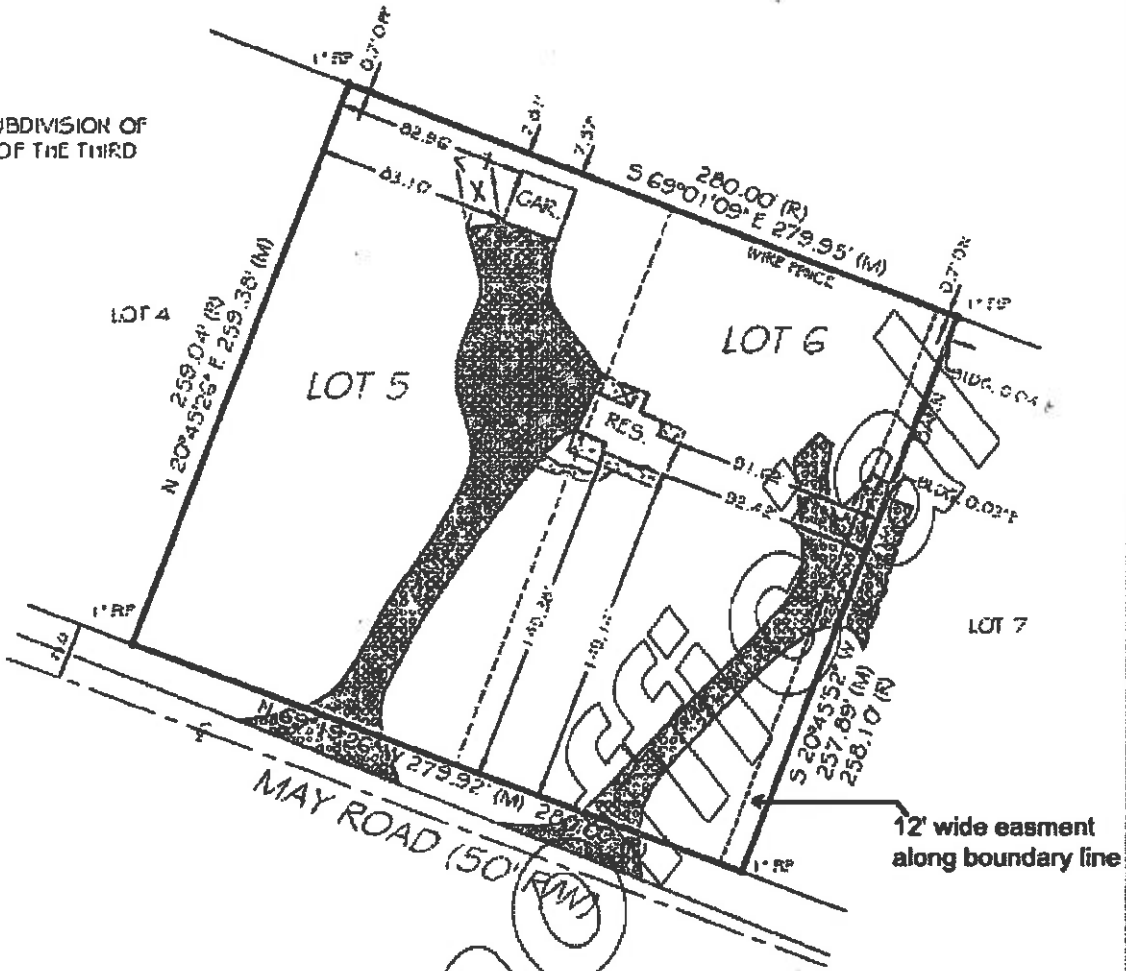
MAIL TO:

Old Republic Title  
9601 Southwest Highway  
Oak Lawn, IL 60453



EXHIBIT "A"

SUBDIVISION OF  
ST OF THE THIRD



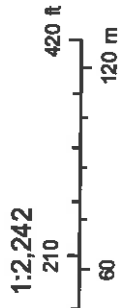
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# Map Title



June 30, 2020

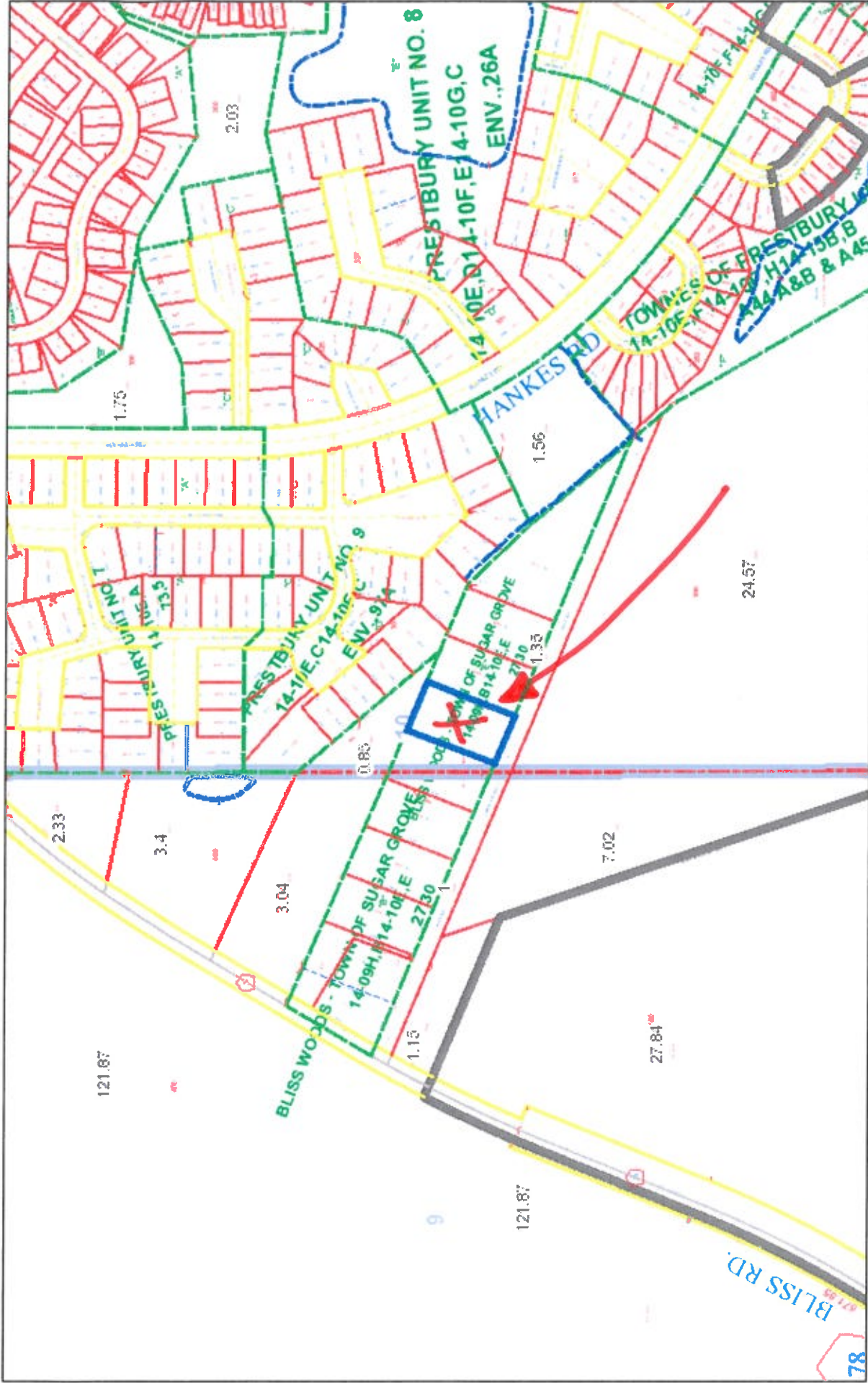


These layers do not represent a survey. No Accuracy is assumed for the data delineated herein, either expressed or implied by Kane County or its employees. These layers are compiled from official records, including plats, surveys, recorded deeds, and contracts, and only contains information required for local government purposes. See the recorded documents for more detailed legal information.

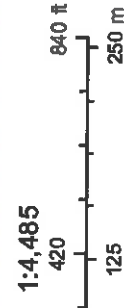
GIS-Technologies  
Kane County Illinois



# Map Title



June 30, 2020



GIS-Technologies

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GIS-Technologies  
Kane County Illinois



Matt Scudder <mattandkarascudder@gmail.com>

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## May Rd. - Scudder

Assistant Chief Parson <wparson@sugargrovefire.com>

Fri, May 29, 2020 at 11:48 AM

To: Matt Scudder <mattandkarascudder@gmail.com>

Cc: "ChaJae@co.kane.il.us" <ChaJae@co.kane.il.us>

Mr. Matt Scudder

After a visit to the property on May Rd. Sugar Grove, IL

I observed that the property owner at 5S749 has improved the road to that property.

Any road improvements to the road would be in front of your property.

Widen the roadway and make the driveway assessable for fire apparatus.

Wayne Parson

Fire Marshal

Sugar Grove Fire Protection District

wparson@sugargrovefire.com

[Quoted text hidden]