

MEMORANDUM

September 26, 2022

Lake County Central Permit Facility
500 West Winchester Road
Libertyville, Illinois 60048-1331
Phone: 847.377.2600
E-mail: lcpermits@lakecountyil.gov

TO: Krista Braun, Department of Planning and Development
Eric Steffen, Engineering & Environmental Services
Betsy Duckert, Division of Transportation
Lisle Stalter, State's Attorney's Office

FR: Brad Denz, Hearing Officer, Lake County Department of Planning, Building and Development

RE: Vacation Petition #000742-2022 – Cuba Township
Hearing Date: September 28, 2022

REQUESTED ACTION: The portion of public road known as Midway Street, of that part of Midway Street, lying between Lots 6 and 7 of the Allen City Subdivision, Section 16, Township 43 North, Range 9, east of the third principal meridian, Lake County, Illinois.

APPLICANT PROPERTY

LOCATION AND SIZE: The properties are located adjacent to the unimproved section of Midway Street right-of-way; 23865 N. River Road, Cary, Illinois PIN 13-16-101-009; and 23889 N. River Road, Cary, Illinois, PIN 13-16-101-008. The right-of-way sought to be vacated is 68.33 feet wide, extending east 125 feet, and consists of 0.19 acres. A copy of a location map was included in the application.

LAKE COUNTY CORRESPONDENCE

- Lake County Division of Transportation: Joe Meyer
 1. There is a small drainage swale on the north side of the ROW which outlets to the Fox River. This swale is connected to the roadside ditch storm drainage for the adjacent local streets. The Highway Commissioner has expressed interest in obtaining an easement for the swale. A 10-foot-wide drainage easement that encompasses the swale spanning the entire length of the ROW is recommended.
 2. There is a tree line on the north side of the ROW that appears to be in the ROW. It is recommended that the drainage easement be platted outside of this tree line.
 3. There is no evidence of any public utilities in the ROW.
 4. There is no evidence of pedestrian use in the ROW to gain access to the Association property along the Fox River. There is no sidewalk, trail, or walking path within the ROW.
- Lake County Stormwater Management Commission - Brian Frank
 1. Proposed street vacation does not appear to impact the surrounding area regarding its interjurisdictional needs or other development related aspects of SMC's WDO jurisdiction. Given the surrounding area is all unincorporated Lake County. No objection to street vacation.

- Lake County Health Department – Mark Mussachio:

1. The street vacation does not appear this would affect any septic systems or wells- no objection to the street vacation.

- Lake County Environmental Engineering Division – Joel Krause:

1. The Engineering Division has no objection to the street vacation. As discussed with the applicant during the Early Assistance meeting, based upon the recent site work that has already been completed, consisting of gravel installation and the construction of a shed and tarped structure, a Site Development Permit (with associated fee) will be required.
2. If the proposed detached garage is planned for construction at a later time in the future, then a separate Site Development Permit will be required for the detached garage.
3. As discussed with the Cuba Township Highway Commissioner, TJ Podgorski, on August 16, 2022,, it was brought to our attention that several neighbors have inquired as to how the existing overland drainage route, along the north side of the property is to be maintained. It was explained to the Highway Commissioner, that the existing drainage patterns and overland flow route will need to be maintained (the area cannot be filled in such that the existing overland flow route is removed, as that would constitute a violation of the Illinois Drainage Law).

- Building Division – Bob Springer

1. No Objection
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OUTSIDE AGENCY CORRESPONDENCE RECIEVED

- Commonwealth Edison: Katie Bengson

1. ComEd has no objection to the vacation.
2. I ask as ComEd has power lines within the Road ROW per our franchise agreement with the village and we want to make sure that there will be no interference with the power lines.

- Cuba Township Highway Department – T.J. Podgorski

1. The Township requests to maintain a 10' drainage easement along the north end of the property being vacated. This is where all of the drainage for that area makes its way to the river.
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ADJACENT PROPERTY OWNER CORRESPONDENCE RECEIVED

- Brett Rodgers; [REDACTED]
- Thomas Duensig; [REDACTED]

On-Site Photos for Vacation #000742-2022

Looking East – Unimproved Midway Street (unimproved area of Midway Street)



Looking North – River Road and Midway Street



Looking South – River Road and Midway Street



Looking West – Midway Street

