

## Board of Vacations Minutes

A petition to vacate an unimproved portion of West Oak lane located in the Morley's Subdivision  
Antioch Township

Public Hearing – August 7, 2019

**Petitioners:** Thomas and Robin Van Sickle 25119 W. Hickory Lane, Antioch, Illinois, 25140 W. Linden Lane, Antioch, Illinois; and Travis Balbin 25124 W. Linden Lane, Antioch, Illinois

### 1. Call to Order

Street Vacation No. #000501-2019 – Petition to vacate a portion of unimproved section of West Oak Lane 12 feet wide extending north-south 200 feet from both W. Linden Lane and W. Hickory Lane, located in the Morley's Subdivision, Antioch, Illinois.

### 2. Pledge of Allegiance

### 3. Roll Call

Board of Vacations representatives:

Planning, Building and Development: Brian Frank, Engineering & Environmental Services

Division of Transportation: Betsy Duckert, Manager of Permitting

Planning, Building and Development: Krista Braun, Planning & Zoning Manager

Vacation Officer\*: Brad Denz, Senior Planner/Project Manager

State's Attorney's Office\*: Lisle Stalter, Assistant States Attorney

\* Non-voting members

### 4. Approval of Minutes

None

### 5. Added to the Agenda (none)

### 6. Deferred Matters (none)

### 7. Other Business

- 7.1 Request by Thomas and Robin Van Sickle, and Travis Balbin, record owners of the properties adjacent to the portion of the right-of-way described as "The portion of public road known as West Oak Lane; all of the public alley lying between Lots 63, 64, 65 and 67 in Morley's Subdivision or part of the east half of the east fractional Section 1, Township 46 North, Range 9, East of the Third Principal Meridian according to the plat thereof, Recorded May 8, 1924, as Document 239470, in Book "M" of plats, page 76, in Lake County, Illinois. The proposed area to be vacated consists of approximately 0.06 acres.

Mr. Denz opened the hearing at 2:30 p.m. and reviewed the petition with those in attendance. The petitioner was sworn in. Mr. Denz explained that the petition was legally advertised in the Daily Herald on July 19, 2019, thus meeting the legal notice requirements for the hearing.

Mr. Denz stated he received correspondence from Antioch Township Highway Department which stated "no objection" for the request. The Department received correspondence from Commonwealth Edison (ComEd) and NICOR Gas which also stated "no objection" contingent upon an exclusive easement dedication on the plat.

### Petitioner's Testimony

The applicant's attorney, Matthew DeMartini stated the Van Sickles own a home east of the proposed vacation and a detached garage west of the proposed vacation. The applicants also own Lots 44, 45, 46 and 47 to the north of Hickory Lane. The owner to the southeast, Travis Balbin, would acquire half of the Oak Lane Right-of-

way, and the Van Sickles would acquire the remaining portion. The area of Oak Lane proposed to be vacated is currently used as a driveway to their property and there has never been any “thru-traffic” on Oak Lane.

### **Board Comments/Questions**

Member Frank:

A. Can you explain the anticipated uses of the area?

Mr. DeMartini stated the applicants will build a new home. Robin VanSickle stated they will request renovations to the existing structures, and the vacation would eliminate any street setback requirements.

Member Braun:

A. Who were the owners of the lots at the time of application and as of today’s meeting?

B. If the applicant sells Lots 64 and 65, would they remain landlocked?

Mr. DeMartini stated Lot 66 was previously owned by the Gabriels but acquired in July 2019 by Travis Balbin. The applicants will amend the application to include the Balbin. It is not the intent of the applicants to sell the lots and they intend to consolidate the lots at the conclusion of the vacation process. Mr. Denz stated a consolidation of the lots is required.

Member Duckert:

A. Will the driveway on Lot 67 be relocated?

B. Will the ComEd and NICOR easement be located in the center of the existing Oak Lane right-of-way?

Mr. DeMartini stated the driveway will remain on Lot 67. Mr. Denz stated both utility companies requested the exclusive easement dedication on the plat.

### **Public Statements**

Robert Gruenwald requested how the allocation of the right-of-way would occur. Mr. Denz explained that each property owner would acquire half the right-of-way adjacent to their property.

### **Closing Statement**

No statement by the applicant

### **Close of Testimony**

A motion to close testimony was made by Member Frank and seconded by Member Braun. The motion passed unanimously.

### **Board Discussion**

Member Frank stated the following:

- The vacation is appropriate given the common ownership of the adjacent parcels.
- As the plat will be updated with the utility company easement designation and property owner information, the vacation is appropriate.

Member Braun stated the following:

- No objection for the proposed vacation as it would not act against any public interest.
- The consolidation of the parcels will ensure one ownership of the parcels.

Member Duckert stated the following:

- No objection. The highway commissioner has no objection.
- The utility easement designation on the plat will ensure the right of utility company service.

### **Motion**

Member Duckert made a motion to grant the petition to vacate the right-of-way as proposed, seconded by Member Duckert, for the following reasons:

1. Antioch Township has no objection to the request.
2. The vacation would relieve the County of any liability associated with the right-of-way.
3. The vacation would place the property in private ownership and on the tax rolls.
4. The required consolidation of the parcels will ensure single ownership.

### **Action**

The motion passed 3-0.

### **Adjournment**

Member Duckert moved to adjourn the meeting. This motion was seconded by Member Braun and passed unanimously. The meeting was adjourned at 2:55 p.m.