

AGENDA
REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MORTON, ILLINOIS
7:00 P.M.
TUESDAY, SEPTEMBER 5, 2023
FREEDOM HALL, 349 W. BIRCHWOOD, MORTON, ILLINOIS

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE TO THE FLAG**
- IV. PUBLIC HEARING**
 - A. Public Hearing on Pre-Annexation Agreement with RNE, LLC for 35.97 acres off of Timber Wolf Drive
- V. PRESENTATIONS AND SPECIAL REPORTS**
- VI. PUBLIC COMMENT**
 - A. Public Comments
 - B. Requests for Removal of Items from the Consent Agenda
- VII. CONSENT AGENDA**
 - A. Approval of Minutes
 - 1. Regular Meeting – August 21, 2023
 - B. Approval of Bills
- VIII. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA**
- IX. VILLAGE PRESIDENT**
- X. VILLAGE CLERK**
- XI. VILLAGE ADMINISTRATOR**
 - A. Building Improvement Grant Recommendation
 - B. Resolution Approving Amendment to Personnel Handbook to Allow Donation of Sick Leave
- XII. CHIEF OF POLICE**
- XIII. CORPORATION COUNSEL**
 - A. Resolution Adopting Pre-Annexation Agreement with RNE, LLC, for 35.97 acres off of Timber Wolf Drive In Wolf Crossing Subdivision
 - B. Ordinance Annexing 35.97 acres off of Timber Wolf Drive in Wolf Crossing Subdivision
- XIV. DIRECTOR OF FIRE AND EMERGENCY SERVICES**
- XV. DIRECTOR OF PUBLIC WORKS**
 - A. Ordinance Making Amendments to Chapter 5 of Title 10 of the Morton Municipal Code Regarding Outbuildings
 - B. Ordinance Making Amendments to Title 10 of the Morton Municipal Code Regarding Zoning of Massage Parlors
 - C. Petition 23-05 SP
- XVI. ZONING AND CODE ENFORCEMENT OFFICER**
- XVII. VILLAGE TRUSTEES**
 - A. Trustee Blunier
 - B. Trustee Hilliard
 - C. Trustee Leitch
 - D. Trustee Menold
 - E. Trustee Newman
 - F. Trustee Parrott
- XVIII. CLOSED SESSIONS**

XIX. CONSIDERATION OF MATTERS ARISING FROM CLOSED SESSIONS

XX. ADJOURNMENT

PRE-ANNEXATION AGREEMENT
between
THE VILLAGE OF MORTON, ILLINOIS
and
RNE, LLC

THIS AGREEMENT is made this 29th day of August, 2023, by and between the VILLAGE OF MORTON, a municipal corporation of the County of Tazewell and State of Illinois, hereinafter called "VILLAGE," and RNE, LLC, an Illinois limited liability company, hereinafter called "OWNER," and is made pursuant to and in accordance with 65 ILCS 5/11-15.1-1 et seq.

WHEREAS, OWNER is the legal titleholder of the property described as follows:

A PART OF GOVERNMENT LOTS 1 AND 2 IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 25 NORTH, RANGE 3 WEST OF THE THIRD PRINCIPAL MERIDIAN, VILLAGE OF MORTON, TAZEWELL COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF GOVERNMENT LOT 2 OF SAID NORTHEAST QUARTER; THENCE NORTH 02 DEGREES 54 MINUTES 45 SECONDS WEST, (BEARINGS ARE BASED ON ILLINOIS WEST ZONE, NAD 83, 2011 ADJUSTMENT), ALONG THE EAST LINE OF SAID GOVERNMENT LOT 2, A DISTANCE OF 208.31 FEET TO THE NORTHEAST CORNER OF TRACT A-1 AS RECORDED IN DOCUMENT 200900009645 AT THE TAZEWELL COUNTY RECORDER'S OFFICE ALSO BEING THE POINT OF BEGINNING OF THE ANNEXATION TO BE DESCRIBED;

FROM THE POINT OF BEGINNING, (THE FOLLOWING 5 COURSES ARE ALONG SAID TRACT A-1) THENCE SOUTH 89 DEGREES 28 MINUTES 02 SECONDS WEST, A DISTANCE OF 81.48 FEET; THENCE SOUTH 47 DEGREES 15 MINUTES 08 SECONDS WEST, A DISTANCE OF 114.79' FEET; THENCE SOUTH 59 DEGREES 09 MINUTES 40 SECONDS WEST, A DISTANCE OF 67.89 FEET; THENCE SOUTH 45 DEGREES 39 MINUTES 12 SECONDS WEST, A DISTANCE OF 71.07 FEET; THENCE SOUTH 02 DEGREES 55 MINUTES 15 SECONDS EAST, A DISTANCE OF 145.58 FEET TO THE NORTHEAST CORNER OF TRACT 1 AS RECORDED IN DOCUMENT 200900009643 AT THE TAZEWELL COUNTY RECORDER'S OFFICE; THENCE SOUTH 33 DEGREES 05 MINUTES 11 SECONDS WEST, ALONG THE SOUTHEASTERLY LINE OF SAID TRACT 1, A

DISTANCE OF 170.65 FEET, TO THE NORTHERLY LINE OF WOLF CROSSING SUBDIVISION AS RECORDED IN PLAT BOOK "DDD", PAGE 73 AT THE TAZEWELL COUNTY RECORDER'S OFFICE; THENCE NORTH 61 DEGREES 56 MINUTES 26 SECONDS WEST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 297.67 FEET, TO THE NORTHERLY MOST CORNER OF LOT 17 IN SAID SUBDIVISION; THENCE NORTH 00 DEGREES 00 MINUTES 14 SECONDS WEST, A DISTANCE OF 104.03 FEET; THENCE SOUTH 89 DEGREES 36 MINUTES 28 SECONDS WEST, A DISTANCE OF 799.25 FEET, TO THE EAST LINE OF WOLF CROSSING, PHASE IV AS RECORDED IN PLAT BOOK "MMM", PAGE 67 AT THE TAZEWELL COUNTY RECORDER'S OFFICE, EXTENDED IN A SOUTHEASTERLY DIRECTION; THENCE NORTH 15 DEGREES 09 MINUTES 50 SECONDS WEST, ALONG THE AFOREMENTIONED LINE, A DISTANCE OF 628.10 FEET, TO THE NORTHEAST CORNER OF LOT 86 IN SAID WOLF CROSSING, PHASE IV; THENCE SOUTH 86 DEGREES 52 MINUTES 33 SECONDS WEST, ALONG THE NORTH LINE OF SAID WOLF CROSSING, PHASE IV, A DISTANCE OF 369.67 FEET TO THE SOUTHEASTERLY LINE OF A 10.015 ACRE TRACT AS RECORDED IN PLAT BOOK "MMM", PAGE 52 AT THE TAZEWELL COUNTY RECORDER'S OFFICE; THENCE NORTH 36 DEGREES 10 MINUTES 28 SECONDS EAST, ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 565.01 FEET; THENCE NORTH 89 DEGREES 39 MINUTES 32 SECONDS EAST, A DISTANCE OF 891.79 FEET; THENCE SOUTH 62 DEGREES 01 MINUTES 03 SECONDS EAST, A DISTANCE OF 801.02 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 2; THENCE SOUTH 02 DEGREES 54 MINUTES 45 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 459.29 FEET, TO THE POINT OF BEGINNING, CONTAINING 35.97 ACRES MORE OR LESS, SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHT OF WAY OF RECORD

PIN: Part of 06-06-05-200-047

That the aforesaid property is not situated within the limits of any municipality, but it is contiguous to the corporate limits of the Village of Morton.

WHEREAS, pursuant to the provisions of 65 ILCS 5/11-15.1-1 et seq., a proposed Pre-Annexation Agreement of the same form and substance as this Agreement was submitted to the Village Board; and a public hearing was held thereon pursuant to notice as required by statute; and

WHEREAS, pursuant to notice as required by statute and ordinance, a public hearing was held by the Plan Commission of the Village of Morton on the requested zoning classification; and recommendations were made to the Village Board.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND PROMISES CONTAINED HEREIN, the parties hereto do hereby agree as follows:

1. The OWNER shall file and diligently proceed with a Petition for Annexation to the VILLAGE OF MORTON of the property described above in accordance with the provisions for annexation set forth in 65 ILCS 5/7-1-1 et seq., which Petition shall incorporate by reference all terms of this Agreement. OWNER shall, in conjunction with said Petition for Annexation, furnish the VILLAGE an annexation plat. A copy of said annexation plat is attached hereto as Exhibit A and incorporated herein by reference thereto.

2. The VILLAGE agrees that, upon receipt of a proper Petition, it will annex the property described above and that same will be zoned R-1, Single Family and Planned Residential District.

3. There is no annexation fee. When the property is developed, a development fee shall be due in accordance with Village ordinances.

4. The preliminary plat as set forth in Exhibit A is approved, and the final plat as set forth in Exhibit B is approved.

5. A fee of \$1,522.66 for each lot as shown on the final plat is imposed as a development fee. This fee shall be due at the time a building permit is issued.

A deposit of \$1,000.00 is imposed for the review of construction plans. This fee shall be due after the preliminary plat is approved and before construction plans are submitted.

A fee of \$150.00 per plat submitted is imposed for review of each preliminary plat submitted. This fee shall be due prior to the submission of a request for preliminary plat approval.

A fee of \$150.00 per plat submitted and a fee of \$15.00 per lot is imposed for review of each final plat submitted. This fee shall be due prior to the submission of a request for final plat approval and shall include the cost of recording the final plat.

A fee of \$250.00 is imposed for the review of the annexation plat. This fee shall be due prior to submission of the annexation plat.

A construction inspection fee equal to the actual expenses incurred by the VILLAGE for hiring an engineer to provide construction inspection services is imposed as provided in Village Code 11-2-6 (C). This fee shall be due prior to or upon acceptance of the final plat.

A fee of \$3.00 per centerline foot of streets to be constructed is imposed as engineering inspection fees. This fee shall be due prior to or upon acceptance of the final plat.

6. A water/wastewater utility infrastructure surcharge of \$17.50 per month (net) for each residential unit shall be due and payable commencing when the first utility bill is issued for each property. The purpose of this fee is to help defray the cost of the above average maintenance that will be required because of the size and remoteness of the system site.

7. OWNER shall pay for the cost of gas installation by the VILLAGE on a time and material basis, said fee to be due upon completion of the gas installation by the VILLAGE.

8. VILLAGE agrees that if Charles S. Rinckenberger, or his successor in interest, applies for the rezoning to any classification of residential zoning of certain property he owns, which property is adjoining the property to be annexed pursuant to this agreement, VILLAGE shall not object to said rezoning request. The property owned by Charles S. Rinckenberger is a parcel identified as PIN 06-06-04-100-042 consisting of 18.35 acres +/- and a parcel identified as PIN 06-06-05-200-048 consisting of 12.4 acres +/- . VILLAGE further agrees that if OWNER, or

its successor in interest, applies for the rezoning to any classification of residential zoning of certain property it owns, which property is adjoining the property to be annexed pursuant to this agreement, said property further identified as part of PIN 06-06-05-200-047 and consisting of 9.25 acres +/-, VILLAGE shall not object to said rezoning request.

9. VILLAGE and OWNER hereby waive any conflict of interest that McGrath Law Office, P.C. may have. It has been disclosed to the OWNER that McGrath Law Office, P.C. has represented both the VILLAGE and OWNER on various matters in the past and is currently representing VILLAGE and OWNER on other matters and is representing VILLAGE on the matter of this Pre-Annexation Agreement. VILLAGE and OWNER acknowledge that McGrath Law Office, P.C. has this conflict of interest and hereby voluntarily waive the conflict of interest that exists and direct McGrath Law Office, P.C. to represent VILLAGE in this Pre-Annexation Agreement.

10. The provisions of this Agreement shall be binding upon and enforceable against the VILLAGE and the OWNER and its successors and assigns for a period of twenty (20) years from the date hereof as provided in 65 ILCS 5/11-15.1-1 et seq.

11. An executed copy of the Pre-Annexation Agreement or a memorandum thereof shall be recorded among the land records in the Office of the Tazewell County Recorder of Deeds at the same time as the annexation ordinance is recorded.

12. The annexation ordinance passed by the VILLAGE pursuant to the provisions hereof shall incorporate the provisions of this Agreement by reference, and this Agreement shall be made a part of said ordinance.

13. If any provisions of this Agreement or any section, sentence, clause, or word or the application thereof in any circumstance is held invalid, the validity of the; remainder of this

Agreement and the application of any such provision, section, sentence, clause, or word in any other circumstance shall not be affected thereby.

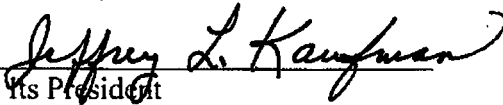
14. The rights, obligations, and duties of the parties as herein set forth shall apply to each and every portion of the territory to be annexed.

IN WITNESS WHEREOF, the parties of this Agreement have caused these presents to be executed the day and year first written above.

VILLAGE:

VILLAGE OF MORTON, a
Municipal Corporation

By


Its President

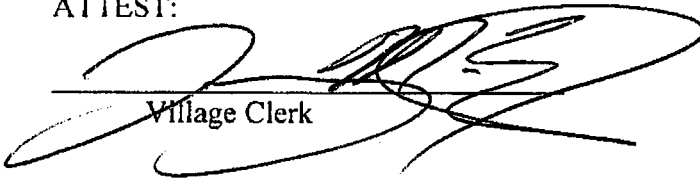
OWNER:

RNE, LLC, an Illinois limited liability
company

By


Charles S. Rinckenberger
Authorized Member

ATTEST:


Village Clerk



**VILLAGE BOARD OF TRUSTEES
REGULAR MEETING
7:00 P.M., August 21, 2023**

After calling the meeting to order, the Pledge of Allegiance was recited and Clerk Evans called the roll, finding the following members present: Blunier, Hilliard, Leitch, Menold, Newman, Parrott – 6.

PUBLIC HEARING – None.

PRESENTATIONS – None.

PUBLIC COMMENT – None.

CONSENT AGENDA

- A. Approval of Minutes.
 - 1. Regular Meeting – August 7, 2023
- B. Approval of Bills

Trustee Menold moved to approve the Consent Agenda. Motion was seconded by Trustee Leitch and approved with the following roll call vote:

Yes: Blunier, Hilliard, Leitch, Menold, Newman, Parrott – 6.
No: None – 0.
Absent: None – 0.
Abstain: None – 0.

VILLAGE PRESIDENT – President Kaufman requested permission to appoint Krystal Sondag to the Morton Business District Development & Redevelopment Commission, replacing Cathy Kemp. He also thanked Cathy for her service. Trustee Newman moved to approve and Trustee Parrott seconded before approval by the following roll call vote:

Yes: Blunier, Hilliard, Leitch, Menold, Newman, Parrott – 6.
No: None – 0.
Absent: None – 0.
Abstain: None – 0.

VILLAGE CLERK – None.

VILLAGE ADMINISTRATOR – None.

CHIEF OF POLICE – None.

CORPORATION COUNSEL – None.

DIRECTOR OF FIRE AND EMERGENCY SERVICES – DFES Kelley requested the approval to purchase a 2023 Ford Explorer Police Interceptor at the State Bid Price of \$41,460.00. There was a brief explanation given regarding the need for this vehicle. Trustee Leitch moved to approve and Trustee Hilliard seconded before final approval by the following roll call vote:

Yes: Blunier, Hilliard, Leitch, Menold, Newman, Parrott – 6.
No: None – 0.
Absent: None – 0.
Abstain: None – 0.

DIRECTOR OF PUBLIC WORKS – None.

ZONING AND CODE ENFORCEMENT OFFICER – None.

VILLAGE TRUSTEES

Trustee Blunier – None.

Trustee Hilliard – None.

Trustee Leitch presented and moved to approve the recommended Building Improvement Grants.

Trustee Menold questioned the ability of a roof being included in the amount and a brief discussion ensued. Trustee Hilliard seconded before approval by the following roll call vote:

Yes: Blunier, Hilliard, Leitch, Menold, Newman, Parrott – 6.
No: None – 0.
Absent: None – 0.
Abstain: None – 0.

Trustee Menold – None.

Trustee Newman – None.

Trustee Parrott – None.

CLOSED SESSIONS – None.

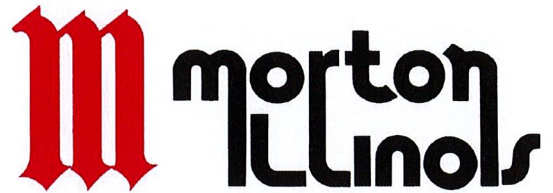
CONSIDERATION OF MATTERS ARISING FROM CLOSED SESSIONS – None.

ADJOURNMENT – With no further business to come before the Board, Trustee Newman moved to adjourn. The motion was seconded by Trustee Menold and followed by unanimous voice vote of all present board members.

PRESIDENT

ATTEST:

VILLAGE CLERK



Memo

To: President and Board of Trustees
From: Business District Commission
Date: July 20, 2023
Re: Building Improvement Grant Recommendation

Below is the recommendation for Building Improvement Grants from the Business District Commission. The Commission reviewed and approved the following:

Applicant	Property Address	Total Project Cost	Amount Approved by BDC	Summary of Work
Sam Parrott	213 S. Main	\$20,560	\$10,000	Replace windows & doors
Sam Parrott	219 S. Main	\$20,750	\$10,000	Replace windows & doors

The Commission is asking for your approval of this recommendation.

If you have any questions, please reach out to Julie Smick.

Thank you!

RESOLUTION NO. 10-24

**RESOLUTION APPROVING AMENDMENT TO PERSONNEL HANDBOOK TO
ALLOW DONATION OF SICK LEAVE**

WHEREAS, the Village of Morton maintains a Personnel Handbook which contains personnel policies, including policies regarding use of sick time; and

WHEREAS, the Village Administrator has recommended an amendment to allow employees of the Village of Morton to donate accrued sick time to another employee of the Village who has personally suffered a serious medical event, or a family member has suffered a serious medical event; and

WHEREAS, it is appropriate for the Corporate Authorities to from time to time adopt and revise personnel policies and procedures for the Village of Morton

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON, Tazewell County, Illinois, as follows:

1. An amendment to the Personnel Policy Manual adopted September 1, 2022, as attached hereto as Exhibit A, is hereby approved by the President and Board of Trustees, and shall be effective from and after the effective date of this Resolution.

BE IT FURTHER RESOLVED that this resolution shall be in full force and effect upon its passage and approval.

PASSED AND APPROVED at a regular meeting of the President and Board of Trustees of the Village of Morton, Tazewell County, Illinois, this _____ day of _____, 2023; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 2023.

President

ATTEST:

Village Clerk

EXHIBIT A

Section 3.5 of the Personnel Handbook dated September 1, 2022 shall be amended by inserting a new subsection which shall be as follows:

Donation of Available Sick Time Plan

The Village of Morton desires to provide a mechanism by which employees of the Village of Morton may donate accumulated sick time to another employee who has a medical emergency and who has exhausted his or her available paid leave.

Definition of a Medical Emergency – A medical emergency is defined as "a medical condition of the employee or a covered family member (meaning the employee's child, stepchild spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent) that will require the prolonged absence of the employee from duty and will result in a substantial loss of income to the employee because the employee will have exhausted all paid leave available apart from the leave-sharing plan."

The decision to donate sick leave to another employee of the Village of Morton is a choice to be made freely by each employee. No person shall attempt to unduly influence another employee to donate sick time off.

The following requirements must be met for a donation of sick time to be approved:

1. The affected employee must be suffering from a medical emergency, as defined in this policy.
2. The affected employee must exhaust all accrued paid leave prior to receiving a donation of sick leave.
3. The medical emergency must require an absence from work for a minimum of 30 calendar days.
4. The employee receiving the donated time may not accumulate more than 960 hours of sick time at any point.
5. The donating employee must complete the Sick Leave Donation Form.
6. The donating employee must have a minimum of 160 hours (20 days) of available sick time in order to donate.
7. The donating employee may not donate more than ½ of the sick time they would accrue in one calendar year (6 days) to one employee. An employee is only allowed to donate a maximum of 12 days in one calendar year.
8. Donation to the sick leave for another employee is voluntary and irrevocable.

RESOLUTION NO 11-24

**RESOLUTION AUTHORIZING PRE-ANNEXATION AGREEMENT WITH RNE, LLC
FOR 35.97 ACRES OFF OF TIMBER WOLF DRIVE IN WOLF CROSSING SUBDIVISION**

WHEREAS, pursuant to lawful notice of a public hearing for the pre-annexation agreement with RNE, LLC, with said notice being duly published:

WHEREAS, the President and Board of Trustees have held a public hearing pursuant to said notice; and

WHEREAS, the President and Board of Trustees desire to approve the pre-annexation agreement with RNE, LLC.

NOW, THEREFORE, BE IT RESOVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON, Tazewell County, Illinois, as follows:

1. That the Pre-Annexation Agreement with RNE, LLC in the form as attached hereto is hereby approved.

2. The President of the Board of Trustees is authorized and directed to execute the Pre-Annexation Agreement with RNE, LLC

BE IT FURTHER RESOLVED that this resolution shall be in full force and effect upon its passage and approval.

PASSED AND APPROVED at a regular meeting of the President and Board of Trustees of the Village of Morton, Tazewell County, Illinois, this _____ day of _____, 2023; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 2023.

President

ATTEST:

Village Clerk

ORDINANCE NO 24-15

**AN ORDINANCE ANNEXING 35.97 ACRES OFF OF TIMBER WOLF DRIVE IN
WOLF CROSSING SUBDIVISION**

WHEREAS, there has been filed with the Village Board of the Village of Morton, Illinois, a Petition for Annexation of the herein described tract of real estate, wherein it is recited that the Petitioner is the owner of all of the land within such territory and that no electors reside therein; and

WHEREAS, said tract is contiguous with the boundary of the Village of Morton, Illinois; and

WHEREAS, said tract is not within any other municipality and no petition is pending pertaining to any annexation of said land, other than herein set forth; and

WHEREAS, a Notice of filing of said petition was duly served upon the Morton Fire Protection District; and

WHEREAS, the Village of Morton does not provide public library services and, therefore, no Notice is needed to be given to the Morton Public Library; and

WHEREAS, it is the duty of the Board of Trustees of the Village of Morton to determine and consider the request for such annexation; and

WHEREAS, a Notice of Public Hearing before the Board of Trustees on a proposed annexation agreement between the Village of Morton and RNE, LLC was duly published in the Tazewell Chronical on August 16, 2023; and

WHEREAS, on the 28th day of August, 2023, the Morton Plan Commission conducted a public hearing for the purpose of considering the annexation and zoning of the property described herein; and

WHEREAS, the Morton Plan Commission after due consideration has recommended to the Board of Trustees of the Village of Morton, Illinois, that the property described herein be annexed and zoned as herein set forth; and

WHEREAS, the Village of Morton and the owner of record of all the land within the territory herein described to be annexed and zoned will enter into contemporaneously with the passage of this ordinance a certain Pre-Annexation Agreement, a copy of which is attached hereto and incorporated herein by reference thereto; and

WHEREAS, it is deemed to be in the best interests of the Village of Morton, Illinois, that the herein described tract of real estate be annexed to and made a part of the Village of Morton, Illinois; and

WHEREAS, it is deemed to be in the best interests of the Village of Morton, Illinois that the herein described tract of real estate be zoned as herein set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT, AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON, Tazewell County, Illinois, as follows:

SECTION I: That the property described below is hereby annexed to and made a part of the Village of Morton; and the same is hereby included within the corporate limits of the Village of Morton.

A PART OF GOVERNMENT LOTS 1 AND 2 IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 25 NORTH, RANGE 3 WEST OF THE THIRD PRINCIPAL

MERIDIAN, VILLAGE OF MORTON, TAZEWELL COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF GOVERNMENT LOT 2 OF SAID NORTHEAST QUARTER; THENCE NORTH 02 DEGREES 54 MINUTES 45 SECONDS WEST, (BEARINGS ARE BASED ON ILLINOIS WEST ZONE, NAD 83, 2011 ADJUSTMENT), ALONG THE EAST LINE OF SAID GOVERNMENT LOT 2, A DISTANCE OF 208.31 FEET TO THE NORTHEAST CORNER OF TRACT A-1 AS RECORDED IN DOCUMENT 200900009645 AT THE TAZEWELL COUNTY RECORDER'S OFFICE ALSO BEING THE POINT OF BEGINNING OF THE ANNEXATION TO BE DESCRIBED;

FROM THE POINT OF BEGINNING, (THE FOLLOWING 5 COURSES ARE ALONG SAID TRACT A-1) THENCE SOUTH 89 DEGREES 28 MINUTES 02 SECONDS WEST, A DISTANCE OF 81.48 FEET; THENCE SOUTH 47 DEGREES 15 MINUTES 08 SECONDS WEST, A DISTANCE OF 114.79' FEET; THENCE SOUTH 59 DEGREES 09 MINUTES 40 SECONDS WEST, A DISTANCE OF 67.89 FEET; THENCE SOUTH 45 DEGREES 39 MINUTES 12 SECONDS WEST, A DISTANCE OF 71.07 FEET; THENCE SOUTH 02 DEGREES 55 MINUTES 15 SECONDS EAST, A DISTANCE OF 145.58 FEET TO THE NORTHEAST CORNER OF TRACT 1 AS RECORDED IN DOCUMENT 200900009643 AT THE TAZEWELL COUNTY RECORDER'S OFFICE; THENCE SOUTH 33 DEGREES 05 MINUTES 11 SECONDS WEST, ALONG THE SOUTHEASTERLY LINE OF SAID TRACT 1, A DISTANCE OF 170.65 FEET, TO THE NORTHERLY LINE OF WOLF CROSSING SUBDIVISION AS RECORDED IN PLAT BOOK "DDD", PAGE 73 AT THE TAZEWELL COUNTY RECORDER'S OFFICE; THENCE NORTH 61 DEGREES 56 MINUTES 26 SECONDS WEST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 297.67 FEET, TO THE NORTHERLY MOST CORNER OF LOT 17 IN SAID SUBDIVISION; THENCE NORTH 00 DEGREES 00 MINUTES 14 SECONDS WEST, A DISTANCE OF 104.03 FEET; THENCE SOUTH 89 DEGREES 36 MINUTES 28 SECONDS WEST, A DISTANCE OF 799.25 FEET, TO THE EAST LINE OF WOLF CROSSING, PHASE IV AS RECORDED IN PLAT BOOK "MMM", PAGE 67 AT THE TAZEWELL COUNTY RECORDER'S OFFICE, EXTENDED IN A SOUTHEASTERLY DIRECTION; THENCE NORTH 15 DEGREES 09 MINUTES 50 SECONDS WEST, ALONG THE AFOREMENTIONED LINE, A DISTANCE OF 628.10 FEET, TO THE NORTHEAST CORNER OF LOT 86 IN SAID WOLF CROSSING, PHASE IV; THENCE SOUTH 86 DEGREES 52 MINUTES 33 SECONDS WEST, ALONG THE NORTH LINE OF SAID WOLF CROSSING, PHASE IV, A DISTANCE OF 369.67 FEET TO THE SOUTHEASTERLY LINE OF A 10.015 ACRE TRACT AS RECORDED IN PLAT BOOK "MMM", PAGE 52 AT THE TAZEWELL COUNTY RECORDER'S OFFICE; THENCE NORTH 36 DEGREES 10 MINUTES 28 SECONDS EAST, ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 565.01 FEET; THENCE NORTH 89 DEGREES 39 MINUTES 32 SECONDS EAST, A

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PIN: Part of 06-06-05-200-047

SECTION II: That the plat hereunto attached and marked "Exhibit A," being a true, correct, and exact plat of the territory heretofore described in this ordinance, showing the relation of the existing boundary of the Village of Morton with the land being annexed, be made an express part of this ordinance.

SECTION III: That the Notice and Affidavit of Mailing of Notice to the Morton Fire Protection District marked "Exhibit B" be made an express part of this ordinance.

SECTION IV: The Pre-Annexation Agreement, in the form and substance as attached as "Exhibit C", is hereby approved and the President of the Board of Trustees and the Village Clerk are authorized the execute same.

SECTION V: That, upon the taking effect of this ordinance, together with the attached Exhibits A, B and C the Village Clerk shall file a certified copy of this ordinance in the office of the Tazewell County Recorder of Deeds.

SECTION VI: That the property is zoned as follows: R-1, Single Family and Planned Residential District.

SECTION VII: That this ordinance shall be in full force and effect upon its passage, approval, and publication as may be required by law.

PASSED AND APPROVED at a regular meeting of the President and Board of Trustees of the Village of Morton this _____ day of _____, 2023; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

PASSED AND APPROVED this _____ day of _____, 2023.

President

ATTEST:

Village Clerk

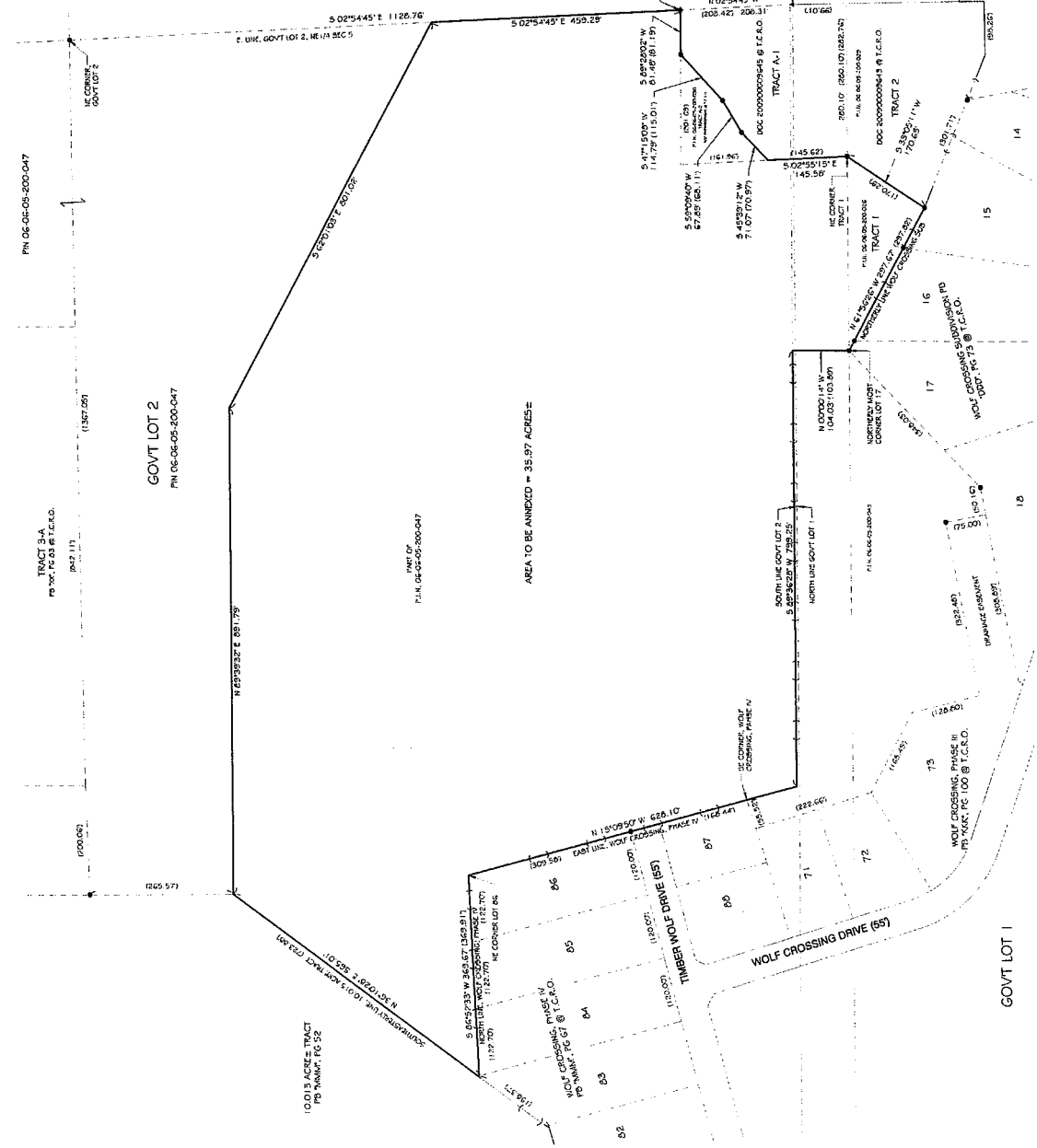
Prepared By and Please Return To:
Patrick B. McGrath, Attorney
1600 S. 4th Ave, Suite 137
Morton, IL 61550-3407
(309) 266-6211

ANNEXATION PLAT

A PART OF GOVERNMENT LOTS 1 AND 2 IN THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 25-NORTH, RANGE 3-WEST OF THE 1ST PRINCIPAL MERIDIAN, VILLAGE OF MORTON, TAZEWELL COUNTY, ILLINOIS.

LEGEND

- NEW CORPORATE BOUNDARY LINE
- EXISTING CORPORATE BOUNDARY LINE
- SECTION LINE
- ADJACENT PROPERTY LINE
- RIGHT-OF-WAY LINE
- ACQUAINTANCE BEARING & DISTANCE (1971-87)
- RECORD BEARING
- TAZEWELL COUNTY RECORDS OFFICE
- COMMON OWNERSHIP
- POINT OF BEGINNING



ANNEXATION DESCRIPTION

A PART OF GOVERNMENT LOTS 1 AND 2 IN THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 25-NORTH, RANGE 3-WEST OF THE 1ST PRINCIPAL MERIDIAN, VILLAGE OF MORTON, TAZEWELL COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF GOVERNMENT LOT 2 OF SAID NORTHWEST QUARTER, THENCE NORTH 02 DEGREES 54 MINUTES 45 SECONDS WEST, BEARINGS ARE BASED ON ILLINOIS WEST ZONE, NAD 83, SD 1, THEORITICAL CURVED LINE AS RECORDED IN DOCUMENT 20200000545 AT THE TAZEWELL COUNTY RECORDS OFFICE ALSO BEING THE POINT OF BEGINNING OF THE ANNEXATION TO BE DESCRIBED;

FROM THE POINT OF BEGINNING, (THE FOLLOWING COURSES ARE ALONG SAID TRACT A-I) THENCE SOUTH 89 DEGREES 29 MINUTES 20 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT A; THENCE SOUTH 50 DEGREES 29 MINUTES 45 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT B; THENCE SOUTH 89 DEGREES 29 MINUTES 20 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT C; THENCE SOUTH 50 DEGREES 29 MINUTES 45 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT D; THENCE SOUTH 89 DEGREES 29 MINUTES 20 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT E; THENCE SOUTH 50 DEGREES 29 MINUTES 45 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT F; THENCE SOUTH 89 DEGREES 29 MINUTES 20 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT G; THENCE SOUTH 50 DEGREES 29 MINUTES 45 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT H; THENCE SOUTH 89 DEGREES 29 MINUTES 20 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT I; THENCE SOUTH 50 DEGREES 29 MINUTES 45 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT J; THENCE SOUTH 89 DEGREES 29 MINUTES 20 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT K; THENCE SOUTH 50 DEGREES 29 MINUTES 45 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT L; THENCE SOUTH 89 DEGREES 29 MINUTES 20 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT M; THENCE SOUTH 50 DEGREES 29 MINUTES 45 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT N; THENCE SOUTH 89 DEGREES 29 MINUTES 20 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT O; THENCE SOUTH 50 DEGREES 29 MINUTES 45 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT P; THENCE SOUTH 89 DEGREES 29 MINUTES 20 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT Q; THENCE SOUTH 50 DEGREES 29 MINUTES 45 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT R; THENCE SOUTH 89 DEGREES 29 MINUTES 20 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT S; THENCE SOUTH 50 DEGREES 29 MINUTES 45 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT T; THENCE SOUTH 89 DEGREES 29 MINUTES 20 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT U; THENCE SOUTH 50 DEGREES 29 MINUTES 45 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT V; THENCE SOUTH 89 DEGREES 29 MINUTES 20 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT W; THENCE SOUTH 50 DEGREES 29 MINUTES 45 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT X; THENCE SOUTH 89 DEGREES 29 MINUTES 20 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT Y; THENCE SOUTH 50 DEGREES 29 MINUTES 45 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT Z; THENCE SOUTH 89 DEGREES 29 MINUTES 20 SECONDS WEST, A DISTANCE OF 114.79 FEET, TO POINT A.



STATE OF ILLINOIS
COUNTY OF JEFFERSON
I, *[Signature]*, Surveyor
do hereby certify that the above described plat is a true and correct copy of the original plat as recorded in my office.

PROJECT NO. 2128		ANNEXATION PLAT	
SHEET 2 OF 1		A PART OF GOVERNMENT LOTS 1 AND 2 IN THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 25-NORTH, RANGE 3-WEST OF THE 1ST PRINCIPAL MERIDIAN, VILLAGE OF MORTON, TAZEWELL COUNTY, ILLINOIS.	
DATE 11-30-22		SCALE 1" = 100'	
DRAWN BY <i>[Signature]</i>		CLIENT RNE, LLC	
CHECKED BY <i>[Signature]</i>		SURVEYED BY <i>[Signature]</i>	
DATE 11-30-22		DATE 11-30-22	
PROJECT NO. 2128		ANNEXATION PLAT	
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CHECKED BY <i>[Signature]</i>		SURVEYED BY <i>[Signature]</i>	
DATE 11-30-22		DATE 11-30-22	

Mohr & Kerr Engineering & Land Surveying, P.C.
Professional Design Firm #184-006981
www.mohrandkerr.com

OWNERS CERTIFICATE

STATE OF ILLINOIS)
 COUNTY OF TAZEWELL) 95

WE, PRECISION PLANNING, LLC, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE VACATED EASEMENT DESCRIBED IN THE ACCOMPANYING SURVEY AND WE ACKNOWLEDGE THE SURVEY OF THE LAND AS DESCRIBED ON THE ACCOMPANYING LEGAL DESCRIPTION, ALSO TO THE BEST OF MY OWN KNOWLEDGE THE DESCRIBED PARCEL IS LOCATED IN UNIFIED SCHOOL DISTRICT # 709.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, 2023.

MICHAEL MORGAN, VICE PRESIDENT

NOTARY PUBLIC

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2023.

NOTARY PUBLIC

VILLAGE OF MORTON PLAT OFFICERS CERTIFICATE

COUNTY OF TAZEWELL) 95

I, _____ PLAT APPROVING OFFICER FOR THE VILLAGE OF MORTON, DO HEREBY APPROVE THE ATTACHED PLAT OF VACATION.

DATED THIS _____ DAY OF _____, 2023.

VILLAGE PLAT OFFICER

NOTES:

- IT IS NOT WARRANTED THAT THIS PLAT OF VACATION CONTAINS COMPLETE INFORMATION REGARDING EASEMENTS, RESERVATIONS, RESTRICTIONS, RIGHT-OF-WAY, BUILDING SETBACK LINES, AND OTHER ENCUMBRANCES. FOR COMPLETE INFORMATION, A TITLE OPINION OR OTHER COMMITMENT FOR TITLE INSURANCE SHOULD BE OBTAINED.
- LOT SHOWN PER FINAL SUBDIVISION PLAT OF NORTH MORTON INDUSTRIAL PARK.

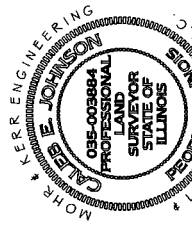
STATE OF ILLINOIS)
 COUNTY OF PEORIA) 95

WE, MOHR & KERR ENGINEERING AND LAND SURVEYING, P.C., DO HEREBY STATE THAT WE HAVE SURVEYED A PART OF LOT 1A OF NORTH MORTON INDUSTRIAL PARK, BEING A PART OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 25-NORTH, RANGE 3-WEST OF THE THIRD PRINCIPAL MERIDIAN IN TAZEWELL COUNTY, ILLINOIS, AND THAT THE LAND SHOWN ON THIS PLAT LIES WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF MORTON WHICH HAS APPROVED AND ADOPTED A COMPREHENSIVE PLAN AND TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY AS DRAWN TO A SCALE OF 1" = 60' (1 INCH = 60 FEET)

DATED THIS 29TH DAY OF JUNE, 2023.

MOHR & KERR ENGINEERING AND LAND SURVEYING, P.C.

CALEB E. JOHNSON
 ILLINOIS REGISTERED PROFESSIONAL
 LAND SURVEYOR # 035-3904



LICENSE EXPIRES NOVEMBER 30, 2024

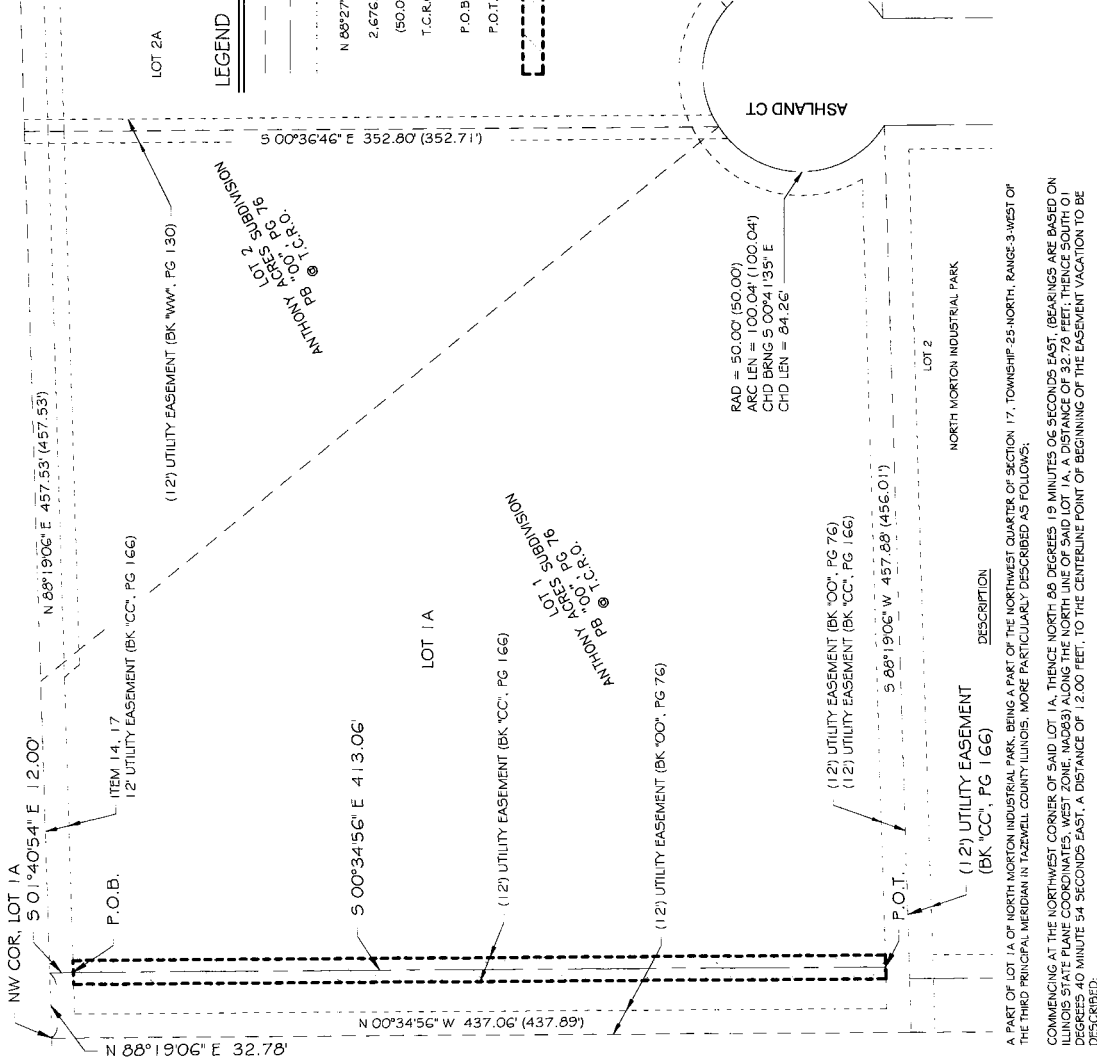
MOHR & KERR ENGINEERING & LAND SURVEYING, P.C.
 5801 N. Prospect Road, Suite 6B
 Peoria, Illinois 61614
 www.mohrskerr.com
 Office: (309) 692-8500
 Fax: (309) 692-8501
 Professional Design Firm # 164-005091

MATT HAPPACH

SUPERVISED BY: _____
 DRAWN: CEL
 CHECKED: _____
 SCALE: 1" = 60'
 DATE: 06-28-23

PROJECT NO.: 22-255
 SHEET 1 OF 1
 DRAWING NO.: 1

EASEMENT VACATION PLAT



SAID EASEMENT VACATION LYING 6.00 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE: FROM THE POINT OF BEGINNING, THENCE SOUTH 00 DEGREES 34 MINUTES 56 SECONDS EAST, A DISTANCE OF 413.06 FEET TO THE POINT OF TERMINUS, SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RIGHT-OF-WAY OF RECORD.

VILLAGE OF MORTON
ORDINANCE 24-16

**AN ORDINANCE MAKING AMENDMENTS TO CHAPTER 5 OF TITLE 10 OF
THE MORTON MUNICIPAL CODE REGARDING OUTBUILDINGS**

NOW THEREFORE, be it ordained by the President and Board of Trustees of the Village of Morton, in the State of Illinois, as follows:

SECTION 1: **AMENDMENT** “10-5-3: R-1 One-Family And Planned Residential Development District” of the Morton Municipal Code is hereby *amended* as follows:

AMENDMENT

10-5-3: R-1 One-Family And Planned Residential Development District

A. Permitted Uses:

1. Single-family dwellings.
2. Agricultural uses consisting only of growing crops, truck gardening, and flower gardening.
3. Temporary construction buildings and uses at the construction site and only during the construction period.
4. Accessory buildings and uses.
5. Community residence. (Ord. 89-19, 2-5-90)

B. Special Uses: The following uses are permitted subject to the public hearing and other special permit procedure requirements as outlined in Chapter 10 of this Title. (Ord. 73-31, 3-5-79; amd. Ord. 84-1, 5-21-84; amd. Ord. 84-3, 6-18-84)

1. Any use permitted as a special use in the R-S and Planned Residential Development District, except outdoor recreation facilities and borrow pits. (Ord. 86-21, 4-20-87; amd. Ord. 07-09, 6-4-07)
2. Hospitals, sanitariums, rest homes, and retirement centers. (Ord. 78-31, 3-5-79; amd. Ord. 84-1, 5-21-84; amd. Ord. 84-3, 6-18-84; amd. Ord. 84-25, 4-15-85; amd. Ord. 08-19, 10-6-08)
3. Publicly owned parks.
4. Private recreation areas. (Ord. 78-31, 3-5-79; amd. Ord. 84-1, 5-21-84; amd. Ord. 84-3, 6-18-84)

C. Required Lot Area And Width: Every building hereafter erected or structurally enlarged shall be on a lot having an area of not less than seven thousand five hundred (7,500) square feet for interior lots and nine thousand five hundred (9,500) square feet for corner lots, and a width of the building line of not less than seventy five feet (75') for interior lots and not less than ninety five feet (95') for corner lots. Lots zoned R-1A shall have an area of not less than eight thousand (8,000) square feet and a width of not less than sixty five feet (65') at the building line. This requirement shall not apply to planned residential developments which shall meet the requirements of Section 10-5-8 of this Title or for lots of record which shall meet the reduced requirements of Section 10-4-4 of this Title. Any lots within one-half (1/2) mile of a livestock

feeding operation that is in operation at the time of the platting of the lots, must be one (1) acre in size. (amd. Ord. 06-19, 7-10-06; amd. Ord. 12-14, 11-19-12)

1. Front Yard: No building shall be erected without providing or maintaining a front yard of thirty-five feet (35') unless the depth of the lot is less than one hundred thirty-five feet (135'), in which case the front yard shall be no less than twenty-five feet (25'). In the event the building is constructed in an established area on one side of the street between two (2) intersecting streets that is improved with buildings that have observed a front yard depth which is less than the thirty-five feet (35') or twenty-five feet (25') requirement, then in such established districts, the front yard depth may be the same as, but not less than, the building immediately adjacent to either side of the proposed building. In the event the building is constructed in an area within the territory set forth on the [Map of Area in Which a Reduced Front Yard is Allowed](#), then the required front yard shall be reduced to twenty six feet four inches {26'4"} for lots with a depth not less than one hundred thirty five feet {135'}, or to eighteen feet nine inches {18'9"} for lots with a depth of less than one hundred thirty five feet {135'}.
2. Side Yard: No building shall be erected or enlarged without providing or maintaining combined side yards of twenty feet (20') or twenty percent (20%) of the lot width as measured at the building line, whichever is less; no single side yard shall be less than seven feet (7').
3. Rear Yard: No building shall be erected or enlarged without providing or maintaining a rear yard of twenty five feet (25').
4. R-1A Front Yard: No building shall be erected without providing or maintaining a front yard of thirty-five feet (35') unless the depth of the lot is less than one hundred thirty-five feet (135') in which case the front yard shall be no less than twenty-five feet (25'). In the event the building is constructed in an area within the territory set forth in in Section 10-4-3(G), then the required front yard shall be reduced to twenty six feet four inches (26'4") for lots with a depth not less than one hundred thirty-five feet (135'), or to eighteen feet nine inches (18'9") for lots with a depth of less than one hundred thirty-five feet (135').
5. R-1A Side Yard: No building shall be erected or enlarged without providing or maintaining combined side yards of twelve feet (12'); no single side yard shall be less than six feet (6').
6. R-1A Rear Yard: No building shall be erected or enlarged without providing or maintaining a rear yard of twenty five feet (25').
7. Fences: Ornamental fences, enclosure fences, and chain link fences meeting the required conditions are exempt from the specific yard requirements as noted. Except those fences specifically permitted pursuant to the terms of this section, no other fences shall be permitted within the required yard area.
 - a. Front Yard Fences:
 - (1) Front Yard Fences on Interior Residential Lots: Ornamental fences not exceeding three and one-half feet (3 1/2') in height are permitted within the front yard. Enclosure fences are not permitted in front yards of interior lots.
 - (2) Front Yard Fences on Corner Lots: Ornamental fences not exceeding three and one-half feet (3 1/2') in height are permitted in either front yard. An enclosure fence not exceeding six feet (6') in height is

permitted in that front yard which the building does not face, providing such front yard enclosure fence is set back from the property line one-half (1/2) the required front yard distance for that district or ten feet (10'), whichever is greater. It is further required that fences respect obstruction to visibility requirements of 10-4-3(1).

- b. Side and Rear Yard Fences: Ornamental fences and enclosure fences not exceeding six feet (6') in height are permitted in the side and rear yards. Chain link fences not exceeding four feet (4') in height are permitted in the side and rear yards. (amd. Ord. 08-30, 12-1-08; amd. Ord. 12-14, 11-19-12)

D. Building Height: No building hereafter erected or portion of a building structurally enlarged shall exceed the following height limitations, except for those general exceptions to height limitations listed in Section 10-4-3 of this Title:

- 1. Churches: forty five feet (45') for the main structure.
- 2. All other permitted buildings: thirty five feet (35') or two and one-half (2 1/2) stories. (Ord. 78-31, 3-5-79)

E. Driveways: Driveways shall be permitted subject to the following:

- 1. They may be within the required yard area, so long as such driveway complies in all regards with the specifications set forth in the Driveway Standards. Notwithstanding any limits set forth to the contrary in the Driveway Standards, if a lot contains an outbuilding then a driveway for the outbuilding may be constructed which connects the driveway from the street to the garage with the outbuilding, provided however that the outbuilding driveway shall be no closer to the side lot line than twenty feet (20') and shall be no wider at any point than the width of the outbuilding.
- 2. No driveway shall be constructed closer than thirty-five feet (35') to any intersection of residential streets and fifty feet (50') to any intersection involving collector or major streets.
- 3. No more than one driveway per dwelling unit shall be allowed, except however if a property abuts an alley which is driveable the property may maintain driveway access from both the alley and the fronting street.
- 4. Circular driveways shall not be permitted except for lots of a width of one hundred fifty feet (150') which were improved with a circular driveway prior to June 1, 2022, and then in such instance one (1) circular drive per lot is allowance, provided that the total driveway width of both openings does not exceed thirty-six feet (36') and that any one (1) opening does not exceed twenty four feet (24').
- 5. Common drives as recorded on plat to be shared by adjacent lots are permitted in side yards
- 6. For adjacent one (1) and two-family (2) residential structures, driveway pavement can extend to within six (6) feet of the side or rear property lines, and the landscape screening requirement is waived. Notwithstanding the foregoing, one(1) and two-family residential structures can only utilize the portion of the drive in the front yard, even though encroaching on the landscaped yard to partially meet the off-street parking requirements as provided in Section 10-8-6 of this Title.
- 7. They shall be hard surfaced with bituminous concrete or concrete.

F. Accessory Uses or Buildings: Accessory uses and accessory buildings or structures shall be permitted subject to the following:

- 1. They shall be located within the required rear yard.
- 2. They shall maintain a side and rear setback of six feet (6') for all lots except corner

lots. For corner lots the accessory building or structure shall maintain a setback of twenty feet (20') for any side which abuts a street and six feet (6') for all other sides.

3. They shall not be established within the territory of an existing Village of Morton easement or other utility easement
 4. There shall not be a limit on the permitted number of accessory structures per lot, except that no two (2) uses shall be identical. For purposes of this limitation, a gazebo shall not be considered an accessory building.
 5. The height of any accessory building or structure shall not exceed thirteen feet (13') or the height of the primary structure, whichever is less.
 6. The following area limitations shall apply to individual accessory structures:
 - a. The area of any accessory building, except a detached garage, shall not exceed 1.6% of the lot area to a maximum of four hundred eighty (480) square feet.
 - b. The total area of any ground mount solar system shall not exceed 1.6% of the lot area to a maximum of four hundred eighty (480) square feet. The area of a ground mount solar system shall be calculated by determining the total lot area covered by solar panels when the solar panels are in the position which results in the greatest lot coverage.
 - c. There shall be no limited on the size of any other individual accessory structure, subject however to the limitation on the total lot coverage set forth in this section forth for all accessory structures.
 7. Any side(s) of an accessory building abutting a street shall be screened as follows: at the time of construction (or if weather requires, no later than six (6) months after construction) one row of evergreens shall be planted which shall be of a variety which, at maturity, shall grow together when planted ten feet (10') on center, and shall be at least five feet (5') in height when planted, and which rows shall be staggered or offset so as to maximize screening of the accessory structure. If the rear yard is completely enclosed by a privacy fence six feet (6') in height, then the landscape screening requirement shall be waived. Required landscape screening shall be maintained at all times.
 8. The total area of all accessory structures permitted hereunder shall not exceed sixty percent (60%) of the actual rear yard
 9. A garage may replace an existing garage and shall be allowed in areas in which a reduced landscaped yard is allowed subject to the following:
 - a. The garage shall not exceed twenty-four and one-half feet (24 1/2') in width or length
 - b. The new garage cannot be any closer to the rear or side lot line than the existing garage and in no event shall its wall be closer than two feet (2') or its eaves closer than one foot (1') from the side property line.
 - c. Notwithstanding the other provisions of this Chapter, a driveway for a garage which meets the requirements of this subparagraph may be located as close to the side property line as is allowed the garage
- G. Minimum Square Footage for Single-Family Residences: Any building used as a single-family residence shall contain on the ground floor eight hundred (800) square feet of livable floor space.
- H. Fences: Chain link fences not exceeding four feet (4') in height shall be permitted in the R-1

District in areas outside of the required yard area. Ornamental fences and enclosure fences not exceeding six feet (6') in height shall be permitted in the R-1 District in areas outside of the required yard area. It shall be unlawful for any person to erect, construct, maintain or permit a fence that is constructed of materials that are not specifically manufactured as fencing materials, such as rope, string, galvanized sheet metal, plywood, corrugated metal, or the like. It shall be unlawful for any person to erect, construct, maintain, or permit a fence that is constructed of materials that are intended for agricultural usage or for retaining livestock, such as barbed wire, chicken wire, hog wire, wire fabric, or other similar welded or woven wire fabrics. It shall further be unlawful for any person to construct a fence with slates of any material (including but not limited to metal, fiberglass or bamboo) threaded through a chain link fence. A direct path unobstructed from fencing shall be maintained between the street and the gas meter and water meter electronic reading device.

- I. Parking Regulations: It shall be lawful in this zoning district to park recreational vehicles, campers, boat trailers and/or trailers on a driveway. In addition, it shall be lawful to park a trailer which is not an enclosed trailer in the rear yard on an all-weather, durable and dustless surface, such as an asphalt, interlocking concrete paver, brick or cement pavement surface. No recreational vehicle, camper, boat or trailer shall be parked in such a manner so as to obstruct, in whole or in part, a sidewalk, alley or street. It shall be unlawful for any person, firm or corporation to park any semitrailer, pole trailer, tow truck, tractor, or truck tractor on any lot in this zoning district. It shall be unlawful to any person to reside, even temporarily, in any recreational vehicle, camper, or trailer in this zoning district. It shall be unlawful to park any recreational vehicle, camper, boat trailer, or trailer in any manner not expressly permitted by this section.
- J. DETACHED GARAGE: Every detached garage erected shall conform to the following:
1. A detached garage shall have a maximum area of 1,000 square foot.
 2. A detached garage shall have a maximum side wall height of twelve (12) feet.
 3. A detached garage shall have a maximum roof height of twenty-five (25) feet, or the roof height of the primary structure, whichever is less.
 4. A detached garage shall be set back from the sidewalk, or when no sidewalk is present, from the curb not less than twenty (20') feet.
 5. A detached garage shall have no more than:
 - a. One overhead door not taller than ten (10') feet and not wider than ten (10') feet; and
 - b. One double stall overhead door not taller than eight (8') feet and not wider than twenty (20) feet; OR two single stall overhead doors not taller than eight (8') feet and not wider than (10') feet.
 6. A detached garage shall not be constructed in the front yard or within the required minimum side yard unless an exception under 10-4-3(D)(7) applies.
 7. A detached garage shall not be constructed on a vacant lot or before the primary structure.
 8. No portion of a detached garage shall be used as a dwelling.
 9. A detached garage shall be built using materials similar in composition, quality, and design of the primary structure. Detached garages shall not be constructed using post-frame construction, and shall not have metal siding.
- K. Satellite Dishes: A satellite dish, which is defined as a device used for the reception of communications or other signals from orbiting satellites, is permitted subject to the following conditions:

1. Dishes mounted on the ground level shall not exceed a height of twelve feet (12')
2. Dishes mounted on the rooftop or chimney of a structure shall not be greater than two feet (2') in diameter, and the highest point of the dish shall not exceed thirty five feet (35') measured from the top to the curb level
3. The dish shall not contain any lettering other than that placed on same identifying the manufacturer and shall not otherwise be used for the display of messages
4. Ground-mounted dishes shall be reasonably concealed from the view at ground level of adjacent properties on all sides, except to the side which the dish is directed to receive the signal. ON that side the view shall be obscured to the extent possible without interfering with the reception of the signal. Fencing or landscape screening shall be used for such purpose subject to the general requirements for same as provide don other sections of this Code. Any landscape screening that is used must be plated within six (6) months of the date of the installation of the dish and must be continuously maintained. Any landscape screening that is used must be non-deciduous and must be of a minimum height of four feet (4') when planted.
5. A ground-mounted dish shall be considered an accessory use.
6. A satellite dish may be used only if it is permanently affixed to the ground, rooftop, or chimney of a structure. Satellite antenna dishes may not be located or affixed to any moveable object, including but not limited to motor vehicles, trailers or other moveable objects. The use of a satellite antenna dish on a temporary basis is expressly prohibited.

L. Swimming pools: Swimming pools shall be permitted, subject to the following

1. Each swimming pool shall conform to the requirements of an accessory use
2. Surrounding each swimming pool, whether the pool be inground or above ground, there shall be erected an enclosure fence which shall be at least five feet (5') in height. A wall of at least five feet (5') in height is sufficient for one (1) or more sides of the enclosure. A screened-in patio area completely enclosing a pool shall be considered an appropriate enclosure.

All existing swimming pools that have an enclosure fence of at least four feet (4') in height and/or walls of a least four feet (4') in height may remain in existence, and no modifications are needed to same. In such cases, such fences or walls may be repaired or maintained, but they shall not be replaced or moved from their present location.

3. The gates of the required fence shall be self-closing and have self-latching latches placed at least four feet (4') above the ground. The fence shall be so constructed as to not allow a five inch (5") diameter sphere to pass through the fence
4. No pool shall be filled with water of a depth of two feet (2') or more until the enclosure required by this Section has been provided.
5. Swimming pools and their required enclosures shall be maintained in a reasonable state of repair and condition. Water shall not be allowed to become stagnant

M. Outbuildings: An "outbuilding" is hereby defined as a structure which is separate and detached from the main dwelling but on the same piece of land as the main dwelling which is used primarily for storage purposes and/or for other activities insofar as such activities are usually and reasonably associated with the principal structure. One Outbuilding shall be permitted only on lots greater than or equal to two and three quarters acre (2.75 ac.) in size, subject to the following:

1. Outbuildings shall only be permitted in the side or rear yard.
2. Outbuildings shall have a maximum area of two thousand (2,000) square feet, of which no more than seven hundred fifty (750) square feet may be finished square footage constructed in a manner which would allow for human habitation.
3. Outbuildings shall only be used by the owner of the premises upon which the outbuilding sits as an accessory use. No portion of an outbuilding shall be occupied by a person other than the owner of the premises upon which the outbuilding sits.
4. No plumbing shall be permitted in an outbuilding except on the ground floor.
5. The exterior finish of all sides of an outbuilding shall match proportionately the exterior finishes of the same side of the principal structure.
6. An outbuilding shall have a maximum side wall height of eighteen (18) feet.
7. An outbuilding shall have a maximum roof height of thirty-five (35) feet, or the roof height of the primary structure, whichever is less.
8. An outbuilding shall not be constructed on a vacant lot or before the primary structure.
9. No portion of an outbuilding shall be used as a dwelling.
10. No outbuilding shall be erected or enlarged without providing or maintaining a side yard setback of twenty feet (20') measured at the building line, and a rear yard setback of twenty feet (20').

SECTION 2: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VILLAGE OF MORTON PRESIDENT AND BOARD OF TRUSTEES _____.

	AYE	NAY	ABSENT	ABSTAIN
Trustee Blunier	_____	_____	_____	_____
Trustee Hilliard	_____	_____	_____	_____
Trustee Leitch	_____	_____	_____	_____
Trustee Menold	_____	_____	_____	_____
Trustee Parrott	_____	_____	_____	_____
Trustee Newman	_____	_____	_____	_____
President Kaufman	_____	_____	_____	_____

Presiding Officer

Attest

Jeffrey L. Kaufman, Village President,
Village of Morton

Zo M. Evans, Village Clerk, Village of
Morton

VILLAGE OF MORTON
ORDINANCE 24-17

**AN ORDINANCE MAKING AMENDMENTS TO TITLE 10 OF THE MORTON
MUNICIPAL CODE REGARDING ZONING OF MASSAGE PARLORS**

NOW THEREFORE, be it ordained by the President and Board of Trustees of the Village of Morton, in the State of Illinois, as follows:

SECTION 1: AMENDMENT “10-6-3: B-2 General Business District” of the Morton Municipal Code is hereby *amended* as follows:

AMENDMENT

10-6-3: B-2 General Business District

A. Permitted Uses:

1. All uses permitted as a “permitted use” in the B-1 Professional Office District.
2. Banks, savings and loans, and other financial institutions.
3. Book and stationery stores.
4. Camera and photographic supply stores.
5. Candy and ice cream stores, including stores where commodities are produced on premises for sale exclusively on the premises.
6. Carpet and rug stores.
7. China and glassware stores.
8. Department stores.
9. Drugstores.
10. Dry cleaning and laundry pick-up stations.
11. Dry goods stores.
12. Electric and household appliance stores, including radio and television sales and repair.
13. Furniture stores, including upholstery when conducted as part of the retail operation and secondary to the principal use.
14. Garden supply stores.
15. Gift shops.
16. Haberdashery.
17. Hardware stores.
18. Hobby shops for retail of items to be assembled or used away from the premises.
19. Interior decorating shops, including upholstery and making of draperies, slip covers, and other similar articles, when conducted as part of the retail operations and secondary to the principal use.
20. Jewelry stores, including watch repair.

21. Laboratories, medical, and dental research and testing.
22. Laundromats and dry cleaning machines with not more than three (3) employees.
23. Leather goods and luggage stores.
24. Libraries and reading rooms.
25. Liquor, beer, and wine outlets.
26. Musical instruments, sales and repair facilities.
27. Office supply stores.
28. Paint and wallpaper stores.
29. Pet stores, but not including outdoor kennels or runways.
30. Photography studios, including the developing of film and pictures when conducted as part of the retail business on the premises.
31. Post offices.
32. Public meeting halls.
33. Restaurants, tea rooms, and taverns (but not drive-in or drive-through restaurants where food is provided to customers in cars).
34. Sales and display rooms.
35. Shoe stores and shoe repair.
36. Sporting goods store.
37. Supermarkets and retail food stores.
38. Tailor or dressmaking shops.
39. Telegraph, telephone, or utility offices.
40. Temporary outdoor demonstrations and exhibitions of merchandise primarily for outdoor use.
41. Theaters (not drive-ins).
42. Toy shops.
43. Variety shops. (Ord. 78-31, 3-5-79)
44. Printing and publishing having not more than fifteen (15) employees other than office and maintenance employees. (Ord. 84-2, 6-18-84)
45. Bed and Breakfast Establishments. (amd Ord. 09-20, 8-3-09)
46. Esports cafes.

B. Special Uses: The following uses are permitted subject to the public hearing and other special permit procedure requirements as outlined in Chapter 10 of this Title:

1. Any use permitted as a special use in the B-1 Professional Office District.
2. Automobile service stations and public garages, including new and used car sales rooms.
3. Bus depots and cab stands.
4. Drive-in or drive-through restaurants where food is provided to customers in cars.
5. Frozen food stores, including locker rental in conjunction therewith.
6. Funeral homes, mortuaries, and crematories.
7. Radio and television broadcasting studios and transmitting towers.
8. Restricted production and repair, limited to the following: art, needlework, clothing, custom manufacturing, and alterations for retail only, jewelry from precious metals, watches, dentures, and optical lenses.

9. Service, cleaning, or repair shops for personal, household, or garden equipment.
 10. Veterinarian or animal hospital without outdoor kennels or runways.
 11. Food processing and retail sales.
 12. Retail sale of automobile supplies and auto parts. (amd. Ord. 01-28, 11-5-01)
 13. Restaurants, taverns, and similar establishments serving alcoholic liquors with an outdoor eating, drinking, or seating area. (amd. Ord. 08-44, 4-20-09)
 14. Car Washes. (amd. Ord. 13-31, 3-3-14)
 15. Firearm resale shop. (amd. Ord. 17-03, 6-5-17)
 16. Firearm firing range. (amd. Ord. 17-03, 6-5-17) Special Uses: The following uses are permitted subject to the public hearing and other special permit procedure requirements as outlined in Chapter 10 of this Title:
 17. Brew pub.
 18. Craft brewery.
 19. Winery.
 20. Massage Parlor
- C. Required Yard Area: Every building hereafter erected or structurally enlarged shall provide the following yard requirements, except for lots of record which shall meet reduced requirements of Section 10-4-4, and except for those general exceptions to yard requirements as outlined in Section 10-4-3:
1. Front Yard: The front yard shall be equal to the building height but in no case less than twenty five feet (25) unless the exception set forth in Section 10-4-3 {G} applies, and in the instance such exception applies the required front yard shall be equal to the building height but in no case less than eighteen feet nine inches {18'9"}.
 2. Side Yard: The side yard shall be a minimum of ten feet (10') for buildings of two and one-half (2 1/2) stories or less, unless an existing adjoining property provides no side yard, in which case the property need provide no side yard. Ten foot (10') side yard is minimum required side yard for buildings of two and one-half (2 1/2) stories or less where buildings are separated. For unattached building of more than two and one-half (2 1/2) stories, the side yard shall be increased five feet (5') for each story or portion of story above two and one-half (2 1/2) stories.
 3. Rear Yard: The rear yard shall be not less than eight feet (8').
 4. Fences: Ornamental and enclosure fences meeting the required conditions are exempt from the specific yard requirements as noted.
 - a. Ornamental fences not exceeding six feet (6') in height are permitted within the front yard. Enclosure fences are not permitted in front yards.
 - b. Ornamental and enclosure fences not exceeding six feet (6') in height are permitted in the side and rear yards. (amd. Ord. 08-30, 12-1-08)
 5. Pavement: Access walks, drives and parking areas not encroaching on the landscaped front yard shall be no closer than 10 feet (10') to the side property line and eight feet (8') to the rear property line. Landscape screening shall be required whenever pavement is closer than the building setback line.

6. Parking Lot Light Poles: Parking lot light poles may extend an additional three feet (3') into the required landscaped yard setback., All outdoor lighting in any business or industrial district shall be installed so that lighting throw does not fall beyond any property line.
 7. Noise-Emitting Mechanical Equipment. On properties adjacent to residential districts, mechanical equipment emitting noise such as air-conditioning compressors and similar equipment emitting noise such as air-conditioning compressors and similar equipment may be located in side or rear yards but in no case any closer than twelve feet (12') to the side yard property line of the adjacent property, and in all instances so installed and directed to be of minimum annoyance to the adjacent property. Back-up generators may be located in side or rear yards but in no case closer than six feet (6') to the side yard property line of the adjacent property.
- D. Building Height: No building shall be erected or enlarged to exceed a height of two and one-half (2 1/2) stories or thirty five feet (35'), except for those general exceptions to height limitations listed in Section 10-4-3. Buildings of up to five (5) stories or seventy feet (70') in height may be permitted as a special use subject to the public hearing and other special permit requirements as outlined in Chapter 10 of this Title.
- E. Required Off-Street Parking And Loading: Required off-street parking and loading shall be provided as outlined in Chapter 8 of this Title. (Ord. 78-31, 3-5-79). All drives,, parking and loading areas shall be hard surfaced with bituminous concrete or concrete.
- F. Required Construction Area And Composition: A building which is erected or enlarged shall conform to the following:
1. It shall rest upon footing or foundation. This shall not be construed to prohibit pole buildings or post frame buildings if set in concrete.
 2. It shall have sanitary facilities which comply with all other requirements of the Morton Municipal Code. This provision shall not apply to those buildings used exclusively for storage or warehousing.
- G. Interstate Corridor: In the event the property is located within an interstate corridor, then the required lot size, required yard area, and driveways and parking areas, shall be as set forth in Title 10, Chapter 4, Subsections 7(B) and (C). The provisions of Title 10, Chapter 4, Subsection 7(G) shall also apply. (Ord. 94-31, 5-15-95)
- H. Landscaped Buffers or Screening Required: Newly established business uses adjacent to or backing on property zoned in the residential districts shall provide and continuously maintain on that property line a dense hedge, tree row, or other similar landscape device suitable to visually screen the differing types of adjacent uses from one another.

SECTION 2: AMENDMENT “10-2-1: Definitions” of the Morton Municipal Code is hereby *amended* as follows:

AMENDMENT

10-2-1: Definitions

Wherever anywhere in this Title any of the following terms are used, they shall have the meaning indicated hereafter in this Chapter.

ACCESSORY USE, ACCESSORY AREA, ACCESSORY BUILDING: A use customarily incidental and subordinate to the principal use, principal area or principal building and located on the same lot, parcel, or tract of land with said principal use, area, or building, and an accessory use, area, or building shall be deemed to constitute occupancy of that part of the lot, parcel, or tract of land so used or upon which the accessory building is located. Private garage shall not be considered an accessory use. A ground mounted solar system shall be considered an accessory use. A swimming pool shall be considered an accessory use. (Ord. 78-31, 3-5-79; amd. Ord. 83-4, 5-16-83; amd. Ord. 91-8, 7-15-91; amd. Ord. 10-20, 10-4-10)

ALLEY: An alley is a public way not more than thirty feet (30’) wide affording secondary access to abutting property.

ANIMAL HOSPITAL: An establishment for the treatment, and necessary boarding incidental thereto, of small animals such as dogs, cats, rabbits, and birds by a veterinarian.

APARTMENT: A room or suite of rooms with complete kitchen and sanitary facilities in a structure designed to accommodate two (2) or more such units.

AUTOMOBILE WRECKING YARD: Any place where one (1) or more motor vehicles not in running condition, or parts thereof, are stored in the open and are not being restored to operation; or any land, building, or structure used for the wrecking or storing of such automobiles or the parts thereof. Any location for storage of motor vehicles awaiting repair for more than seven (7) consecutive days shall be considered an automobile wrecking yard.

BARBER: An individual, operating outside of a business’s primary structure, who attempts to engage passersby through verbal, physical, or other contact in order to entice them into patronizing said business. (Ord. 07-31, 9-4-07)

BARBER SIGNS: Any temporary signs used to advertise a business or business event that are not affixed to any type of building or support structure, but are instead carried by an individual serving as a “barber” on behalf of the business entity. (Ord. 07-31, 9-4-07)

BED AND BREAKFAST ESTABLISHMENTS: An owner/operator occupied residence providing accommodations for a charge to the public with no more than five (5) guest rooms, each limited to two (2) transient adult guests per night, for rent, in operation for more than ten (10) nights in a twelve (12) month period. Bed and Breakfast establishments shall not include motels, hotels, boarding houses, or lodging houses. (Ord. 09-20, 8-3-09)

BOARDING OR LODGING HOUSE: A building other than a hotel where meals or sleeping accommodations or both are provided for compensation for three (3), but not more than ten (10), persons.

BREW PUB: An establishment where beer is brewed or manufactured with the primary distribution of beer brewed or manufactured on the premises in an adjoining restaurant where food is served.

BRICK: A molded rectangular block primarily comprised of clay and/or shale, fired with natural gas or coal at approximately two thousand degrees (2000°) to fuse the shale or clay into a durable building unit that is laid contiguously with the joints between the units filled with mortar. (Ord. 09-34, 12-21-09)

BUILDING: A building is any structure with substantial walls and roof securely affixed to the land and entirely separated on all sides from any other structure by space or by walls in which there are no communicating doors, windows, or openings; and which is designed or intended for the shelter, enclosure, or protection of persons, animals, or chattels.

BUILDING HEIGHT: The vertical distance measured from the sidewalk level or its equivalent established grade to the highest point of the roof. Where buildings are set back from the building setback line, the height will be measured from the average elevation of the finished lot grade. (Ord. 78-31, 3-5-79; amd. Ord. 05-20, 9-6-05)

CLINIC: An establishment, including the operation of a professional pharmacy, but excluding facilities for in-patient nursing care, where one (1) or more physicians and other medical professionals diagnose and treat human physical and/or mental ailments. (Ord. 79-39, 3-3-80)

COMMUNITY RESIDENCE: A group home or specialized residential care home serving unrelated persons with disabilities which is licensed, certified, or accredited by appropriate local, State, or national bodies. This Ordinance shall not be construed to require a license, certification, or accreditation and same shall only be required where State or Federal law requires same. Community residence does not include a residence which serves persons as any alternative to incarceration for a criminal offense, or persons whose primary reason for placement is substance or alcohol abuse, or persons whose primary reason for placement is treatment for a communicable disease. (Ord. 89-19, 2-5-90)

CONSTRUCTION SIGNS: A temporary sign, which includes those indicating construction or home improvement, or the offering of services such as lawn maintenance and landscaping, at a specific location at which they are located. (Ord. 07-31, 9-4-07)

COVERAGE: The portion of the lot area covered by the building area.

CRAFT BREWERY: An establishment where beer is manufactured in quantities not exceeding those prescribed by the Illinois Craft Brewer's License. The establishment may also include a tasting room and craft beer manufactured onsite may be offered for sale at retail for use or consumption onsite or offsite.

CURB LEVEL: The average elevation of the established curb of a street taken along the curb line between the points of intersection of the curb line and the lot lines. Where no curb has been established, the curb level shall be the average elevation of the land surface taken along the street right of way and the lot lines.

DAY CARE CENTER: An adult care facility or a child care facility receiving more than eight (8) persons for care during all or part of a day. Day care centers are not to be construed as public or private school facilities. (Ord. 78-31, 3-5-79; amd. Ord. 12-27, 3-4-13)

DISABILITY: Any person whose disability:

- A. Is attributable to mental, intellectual, or physical impairments or a combination of mental, intellectual, or physical impairments; and
- B. Is likely to continue for a significant amount of time or indefinitely; and
- C. Results in functional limitations in one (1) or more of the following areas of major life activities:
 - 1. Self care;
 - 2. Receptive or expressive language;
 - 3. Learning;
 - 4. Mobility;
 - 5. Self direction;
 - 6. Capacity for independent living;
 - 7. Economic self-sufficiency; and
- D. Reflects the person's need for a combination and sequence of special interdisciplinary or generic care, treatment, or other services which are of a life-long or extended duration. (Ord. 89-19, 2-5-90)

DUMPSTERS: A portable receptacle designed and used for accumulating debris. (Ord. 07-41, 10-1-07)

DWELLING: A building or portion thereof designed or used exclusively for residential occupancy, but not including house trailers, mobile homes, hotels, motels, boarding or lodging houses or manufactured home. The terms "dwelling" and "dwelling unit" are used interchangeably. (Ord. 78-31, 3-5-79; amd. Ord. 82-8, 8-2-82)

DWELLING, MULTIPLE-FAMILY: A building used as a residence for more than two (2) families living independently of each other and doing their own cooking therein, including apartment houses, apartment hotels, group houses, and row houses. The term "multiple-family dwelling" and "multi-family dwelling" are used interchangeably.

DWELLING, SINGLE-FAMILY: A building used as a residence exclusively by one (1) family.

DWELLING, TWO-FAMILY: A building used as a residence exclusively by two (2) families with completely separate living facilities for each family.

ELECTRIC SOLAR SYSTEM: An electric solar system is one which produces electrical power for the structure. (Ord. 10-20, 10-4-10)

ESPORTS CAFE: A facility with computer equipment, internet service, and/or spectator accommodations the primary purposes of which may include (a) offering the rental of desk space for use of personal computers or the rental of time to use provided computer equipment that is pre-loaded with software to provide a venue for electronic games (Esports), virtual reality games, or augmented reality games; (b) hosting video game tournaments where spectator fees may be charged; and/or (c) other similar activities.

FAMILY: An individual or two (2) or more persons related by blood, marriage, or adoption, together with his or their domestic servants and a gratuitous guest maintaining common household in a dwelling unit or lodging unit.

FENCE: A man-made structure which is constructed for the purpose of or has the effect of enclosing or screening the area it is constructed upon. (Ord. 78-31, 3-5-79)

FENCE, CHAIN LINK: A fence made of loops of metal wire interconnected in a series of joined links, and which shall be at least 75% open.

FENCE, ENCLOSURE: A fence primarily for providing privacy or visual screening.

FENCE, INDUSTRIAL SECURITY: A fence provided primarily for security which shall be of chain link construction and which shall be at least seventy five percent (75%) open. (Ord. 79-43, 4-21-80)

FENCE, ORNAMENTAL: An ornamental fence is a fence, the surface area of the fence being more than seventy five percent (75%) open. Ornamental fences may not be chain link or wire construction and may not have pointed or dangerous projections.

FIREARM FIRING RANGE: An area or facility designed and operated for individuals to engage in the activity of practice shooting of archery and/or firearms for commercial purposes. (Ord. 17-03, 6-5-17)

FIREARM RESALE SHOP: A retail store that derives its principal income from buying and selling firearms with or without the sale of ammunition and/or firearm accessories. (Ord. 17-03, 6-5-17)

FLOOR AREA: The total horizontal area of living space enclosed by the exterior walls of a building measured at the outside of such exterior walls including partitions, closets, bath, and utility rooms, but not including cellars, basements, unfinished attics, garages, breezeways, porches, and patios, and other spaces not used ordinarily for living, eating, and sleeping purposes. (Ord. 78-31, 3-5-79)

GARAGE, PRIVATE: A use housing not more than four (4) motor vehicles, not more than one (1) of which may be a commercial vehicle of not more than one and one-half (1 1/2) tons capacity, and not more than one (1) of which may be a camper, for the use of the occupants of the lot on which the private garage is located. Garages shall meet required yard areas as specified in this Title. Only one (1) garage per dwelling unit shall be allowed, either attached or unattached. Attached shall mean a minimum of a common roof and foundation between the dwelling unit and garage. (Ord. 78-31, 3-5-79; amd. Ord. 80-30, 11-17-80; amd. Ord. 02-25, 1-6-03; amd. Ord. 08-25, 11-3-08)

GOVERNMENTAL UNITS, BOARDS AND OFFICIALS:

- A. The word "Village" shall mean the Village of Morton, Illinois.
- B. The words "Village Board" shall mean the President and Trustees of the Village of Morton.
- C. The words "Plan Commission" or "Planning Commission" shall mean the Village of Morton Plan Commission.
- D. The words "Zoning Enforcing Officer" shall mean the officer designated by the Board of Trustees to enforce the Village of Morton Zoning Ordinance.
- E. The words "Zoning Board of Appeals" shall mean the Zoning Board of Appeals of the Village of Morton.

HEIGHT: See "Building Height." (Ord. 78-31, 3-5-79; amd. Ord. 84-3, 6-18-84)

HOSPITAL: A building having facilities for in-patient nursing care where physicians and other medical professionals diagnose and treat human ailments. (Ord. 78-31, 3-5-79)

INTERSTATE CORRIDOR: Each and every parcels of land located within the corporate limits of the Village of Morton, which is bounded on any side in any manner by any interstate right-of-way or fifty percent (50%) or more of the area of such parcel is located within five hundred (500) feet of any interstate right-of-way. (Ord. 94-31, 5-15-95; amd. Ord. 17-09, 7-5-17)

KENNEL: A structure for sheltering or keeping cats, dogs, bitches, and puppies for compensation, which either keeps or boards animals not belonging to a family dwelling on the premises, or keeps more than three (3) such animals that are more than six (6) months old.

LANDSCAPED SCREENING: A hedge of trees or shrubs suitable at maturity to visually screen one property from another. The term “landscaped buffers” and “landscape screening” are used interchangeably. See the “Plant Materials For Landscape Screening” section for appropriate plant materials and minimum sizes required. Equivalent materials of equal sizes may be substituted with approval of the Zoning Enforcing Officer. Landscaped screening, where required, must be continuously maintained. (Ord. 78-31, 3-5-79)

LANDSCAPED YARD: See “Yard, Landscaped.”

LIVESTOCK FEEDING: Any operation which stables or confines and feeds or maintains, for a total of forty-five (45) days or more in any twelve (12) month period, a combination of at least fifty (50) animal units, or its equivalency, as defined: (amd. Ord. 06-19, 7-10-06)

<u>Category</u>	<u>Animal Unit</u>
Brood cows and slaughter feeder cattle	1 animal unit
Milking dairy cows	1.4 animal units
Young dairy stock	0.6 animal units
Swine weighing over fifty-five (55) pounds	0.4 animal units
Swine weighing under fifty-five (55) pounds	0.03 animal units
Sheep, lambs, or goats	0.1 animal units
Horses	2 animal units
Laying hens or broilers (facilities with continuous overflow watering)	0.01 animal units
Laying hens or broilers (facilities with liquid manure handling system)	0.03 animal units
Ducks	0.02 animal units

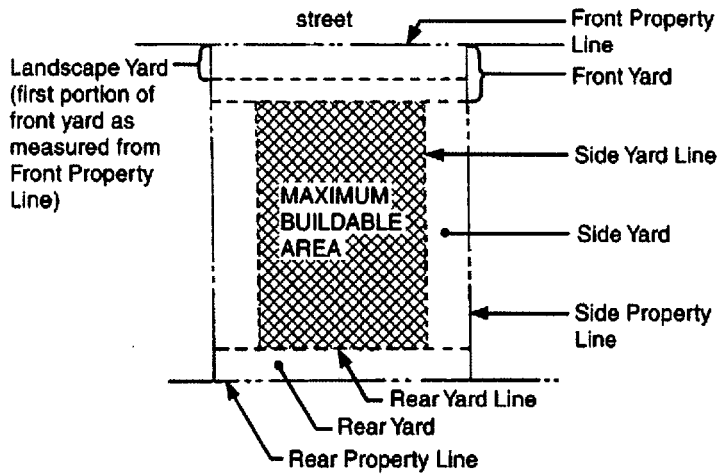
LOADING AND UNLOADING SPACE: See 10-8-7 of this Title.

LODGING HOUSE: See “Boarding House.”

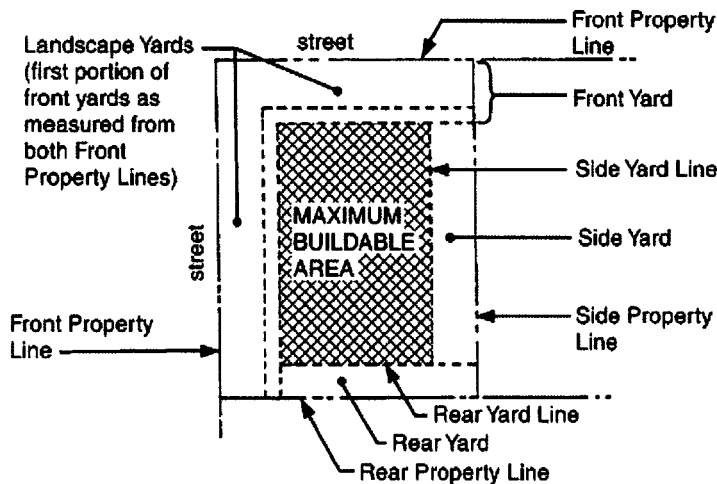
LOT: A portion or parcel of land considered as a unit, devoted to a certain use or occupied by a building or a group of buildings that are united by a common interest or use and the customary accessories and open spaces belonging to the same.

LOT, CORNER: Parcel of land situated at the intersection of two (2) or more streets, or at and abutting the point or abrupt change of a single street where the interior angle is less than one hundred thirty five degrees (135°) and the radius of the street is less than one hundred feet (100’).

LOT, INTERIOR: A lot other than a corner lot and which has lots on either side.



Zoning Lot - Interior



Zoning Lot - Corner

LOT OF RECORD: A lot which is a part of a subdivision, the plat of which has been recorded in the office of the Recorder of Deeds of Tazewell County, Illinois; or a parcel of land described by metes and bounds, the deed or description of which was recorded in the office of the Recorder of Deeds prior to the adoption of this Title. Ord. 78-31, 3-5-79)

MANUFACTURED HOME: A structure, transportable in one or more sections, which, in traveling mode, is eight body feet (8') or more in width or forty body feet (40') or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes plumbing, heating, air conditioning, and electrical systems contained therein. (Ord 98-45, 3-15-99)

MASSAGE: Any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external soft tissues of the body with the hands or with aid of any mechanical, electrical apparatus or appliances or by the application of air, liquid or vapor baths of any any kind, with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments or other similar preparations used in this practice.

MASSAGE PARLOR: Any establishment that provides massages as the primary means of business. This shall include any establishment having a fixed place of business where any person, firm, association, partnership, or corporation engages in, carries on or permits to be engaged in, carried on any of the activities mentioned in the definition of massage. A Massage Parlor does not include any accredited educational facility that teaches massages therapy or masseuse techniques, nor shall it include any licensed health care facility or establishment of duly licensed doctors. Further, Massage Parlor dos not include salons or physical therapy offices which may offer massages as an incidental activity to other, dominant uses of the premises.

MOBILE HOME: Any portable or mobile vehicle or trailer coach used for residential living purposes temporarily or permanently. For the purpose of this Title, such vehicle shall be classified as a mobile home whether or not its wheels, rollers, skids, or other rolling equipment have been removed, or whether or not any addition thereto has been built on the ground. (Ord. 78-31, 3-5-79; amd. Ord. 82-8, 8-2-82; amd. Ord. 84-9, 9-17-84; amd. Ord. 00-50, 3-5-01)

MOBILE HOME PARK MOBILE HOME COURT: A tract of land meeting the standards of the Tazewell County Health authorities and by the Illinois State Department of Health:

- A. Where one (1) or more trailer coach, manufactured home or mobile home is parked, excepting trailers used exclusively for transporting property as distinguished from persons;
- B. Which is used by the public as parking space for one (1) or more trailer coach, manufactured home, or mobile home. (Ord. 78-31, 3-5-79; amd. Ord. 98-45, 3-15-99)

MODULAR HOME: A building assembly or system of building sub-assemblies, designed for habitation as a dwelling place for one (1) or more persons, including the necessary electrical, plumbing, heating, ventilating, and other service systems, which is of closed or open construction and which is made or assembled by a manufacturer, on or off the building site, for installation, or assembly and installation, on the building site, with a permanent foundation. (Ord. 78-31, 3-5-79; amd. Ord. 82-8, 82-82; amd. Ord. 98-45, 3-15-99)

MOTOR FREIGHT TERMINAL: A structure, facility, or premise for the handling of goods and materials in transit, including the parking, loading, and repairing of commercial motor vehicles. Employee sleeping accommodations shall be considered allowable by special use permit only. (Ord. 82-32, 4-4-83)

NONCONFORMING STRUCTURE: A structure lawfully existing at the time of adoption of this Zoning Ordinance which does not conform to the regulations of the district in which it is located.

NONCONFORMING USE: A use which lawfully occupied a structure or land at the time of adoption of this Zoning Ordinance which does not conform with the regulations of the district in which it is located. For the purposes of this Title, any use lawfully established on the effective date of this Zoning Ordinance which is nonconforming solely by virtue of lacking off-street parking or loading facilities as required hereafter for new uses, shall not be deemed a nonconforming use. (Ord. 78-31, 3-5-79)

NURSERY SCHOOL: A place where preschool education and instructional programs are offered for children. (Ord. 84-1, 5-21-84)

OUTDOOR RECREATIONAL FACILITIES: Facilities including but not limited to miniature golf, driving range, and related activities. (Ord. 86-21, 4-20-87)

PARKING AREA, OFF STREET: An open, hard-surfaced area of land, other than a street or public way, arranged and made available for the storage of private passenger automobiles only, of occupants of the building or buildings for which the parking area is developed and is accessory.

PARKING SPACE: An area to the dimensions and layout as contained in Chapter 8, sufficient to accommodate one (1) automobile, convenient, accessible, and usable at all times without having to move any other vehicle.

PLANNED RESIDENTIAL DEVELOPMENT: A tract of land which is developed as a residential development under single ownership or control and which may not completely conform to all of the regulations of the district regulations.

PLANT MATERIALS FOR LANDSCAPE SCREENING:

- A. Deciduous shrub means a lower story plant that generally will not attain a mature height of more than fifteen feet (15') and usually has a dense branching pattern which is close to ground level. Such plants shed their leaves in winter. Any similar plant that will not attain a mature height of more than one foot (1') will not be regarded as a shrub. Examples include honeysuckle, lilac, forsythia, rose of sharon, and sumac.
- B. Evergreen shrub means a lower story plant that generally will not attain a mature height of more than fifteen feet (15') and usually has a dense branching pattern which is close to ground level. Such plants retain their foliage throughout the year. Any similar plant that will not attain a mature height of more than one foot (1') will not be regarded as a shrub. Examples include douglas arbor-vitae, chinese juniper, swiss stone pine, and irish yew.
- C. Evergreen tree means a tree that retains its foliage throughout the year which generally develops a pyramidal shape and grows to a mature height and spread that is greater than any pyramidal shaped evergreen shrub such as upright junipers and upright arbor

vitae. Examples include spruce, pine, hemlock, and douglas fir.

- D. Intermediate tree means a deciduous plant characterized by a height and/or spread that is generally smaller than that of a shade tree under natural growing conditions. Such plants will shed their leaves and are dormant during the winter. Intermediate trees may have a single trunk or multiple trunk. Examples include bradford pear, crimson king maple, and crab apple.
- E. Shade tree means a deciduous plant which generally creates a tall and wide overhead canopy under nature growing conditions. Such plants will shed their leaves and are dormant during the winter. Shade trees will usually have a single trunk. Examples include oak, hard maple, birch, linden, and beech. (amd. Ord. 00-51, 3-19-01)

PLAY STRUCTURE:

- A. Length is less than forty percent (40%) of average yard width.
- B. Width is less than twenty-five percent (25%) of average yard width.
- C. Interior of enclosed structure may not exceed seven feet, six inches (7'6") in height.
- D. Interior of enclosed structure may not exceed sixty (60) square feet.
- E. Tallest point of structure cannot exceed fourteen feet, six inches (14'6") of the average soil height of the yard.
- F. Enclosed structure may not be insulated.
- G. Enclosed structure may not be used for storage of anything other than toys. Bikes, wagons, tricycles, or other wheeled structures are not considered toys.
- H. Only one (1) enclosed structure is allowed per play structure.
- I. A play structure may not be placed in or on a concrete foundation; however, posts are acceptable and may be set in concrete.
- J. Only one (1) play structure is allowed per lot. (Ord. 05-41, 2-6-06)
- K. Shall not include swing sets.

A swing set is defined as follows:

1. Structure constructed of metal, wood, or other materials with swings, a glider, and a slide.
2. Shall be exempt from the building permit process.
3. Shall meet all required setbacks for accessory structures. (Ord. 06-05, 5-1-06)

PORTABLE STORAGE UNITS: Any container, storage unit, shed-like container, or other portable structure that can be or is used for the storage of personal property. (Ord. 07-41, 10-1-07)

RESIDENTIAL TREATMENT CENTER: An establishment, including the operation of a professional pharmacy, and facilities for 24 hour in-patient care, where one or more physicians, psychologists, counselors, or other medical professionals diagnose and treat human physical and/or mental disorders. (Ord. 07-37, 10-1-07)

REST HOME OR NURSING HOME: A home for the aged, chronically ill, or incurable persons in which three (3) or more persons not of the immediate family are received, kept, or provided with food and shelter and care for compensation, but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis, treatment, or care of the sick or injured. (Ord. 78-31, 3-5-79)

RETIREMENT CENTER: A building where three (3) or more persons not of the immediate family are lodged for hire and where they may be provided meals, health care, and rehabilitation activities, including physical and occupational rehabilitation services. The center may also provide adult day care and home health care services. (Ord. 84-25, 4-15-85)

RINGELMANN NUMBER: A particular designation of an area on the Ringelmann Chart that coincides most nearly with the visual density of smoke or particulate matter being observed.

SHELTERS/TENTS: Something which has no foundation, metal frame, and which can be used to enclose an area. (Ord. 07-41, 10-1-07)

SIGNS: Any commercial structure or device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge, or insignia of any government or governmental agency, of any civic, charitable, religious, patriotic, fraternal, or similar organization, or any sign indicating address.

SIGNS, ADVERTISING: A sign which directs attention to a business, commodity, service, or entertainment, not exclusively related to the premises where such sign is located or to which it is affixed.

SIGNS, BUSINESS: A sign which directs attention to a business or profession conducted or to a commodity, service, or entertainment sold or offered upon the premises on which such sign is located or to which it is affixed, or an adjoining premises in the case of a shared sign.

SIGNS, TEMPORARY: A non-permanent sign intended to be used for a short fixed period of time, including, but not limited to, political, real estate, construction, barker, and signs announcing a campaign drive or civic event. (Ord. 07-31, 9-4-07)

SOLAR WATER SYSTEM: A solar water system is one which produces domestic hot water. (Ord. 10-20, 10-4-10)

SPECIAL USES: Any use of land or buildings described and permitted herein in accordance with the procedures of Section 10-10-2 of this Title.

STORY: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. Any portion of a story exceeding fourteen feet (14') in height shall be considered as an additional story for each fourteen feet (14') or fraction thereof. Any basement or cellar with more than one-half (1/2) its height above the established curb level, or above the level of the adjoining ground where curb level has not been established, shall be considered a story for purposes of height measurements.

STORY, HALF: As related to a structure, a basement or cellar level with not more than one-half (1/2) of its height above ground level. As a measurement relating to height limitations of structures other than buildings, half-story shall be seven feet (7').

STREET: A thoroughfare within the right of way which affords the principal means of access to abutting property. A street may be designated as an avenue, a boulevard, drive, highway, lane, parkway, place, road, thoroughfare, or by other appropriate name.

STRUCTURE: Anything constructed or erected which requires location on the ground or is attached to something having location on the ground including, but not limited to, buildings, walls, swimming pools, fences, billboards, signs, stadiums, platforms, radio towers, sheds, storage bins, antenna, and surfacing for vehicle parking and any other surfacing. (Ord. 78-31, 3-5-79)

SUPPORTED LIVING FACILITY: A maximum of four (4) family units may reside in the basement, first floor, and second floor where one (1) or more of the family units requires some form of support or supervision. A family unit is an individual or a married couple, or a descendant of either. (Ord. 14-32, 12-15-14)

SUPPORTED LIVING FACILITY WITH LIMITED COMMERCIAL USE: A supported living facility in which on the first floor there may be programs, including instructional and actual training with equipment for persons with disabilities. Incidental production of and sale of items produced in conjunction with the training is permissible. (Ord. 14-32, 12-15-14)

SWIMMING POOL: Any structure, basin, chamber, or tank containing an artificial body of water for swimming or wading, which is dug into the ground or which sits on the ground (including inflatable structures), and which has a depth of two feet (2') or more at any point. Depth shall be the height of the wall. Any device with a filtration system that is used for swimming or wading, regardless of depth, shall be considered a swimming pool and shall be located in the rear yard. For purposes of this definition, lakes and borrow pits shall not be considered basins. (Ord. 96-39, 3-17-97; amd. Ord. 01-25, 10-1-01)

TASTING ROOM: A room accessory only to a craft brewery where beer manufactured onsite is available on tap.

USE: The specific purpose for which land, a structure, or premises is designed, arranged, intended, or for which it may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

VARIATION: A deviation from the regulations or standards adopted by this Title which the Zoning Board is permitted to grant when strict enforcement would cause undue hardship owing to circumstances unique to the individual property, lot, structure, or premises for which the variance is sought.

WIND ENERGY CONVERSION SYSTEM: A machine that converts the kinetic energy in the wind into a usable form (commonly known as a “wind turbine” or “windmill”). (Ord. 07-04, 5-7-07)

WINERY: An establishment where wine is manufactured onsite and offered for sale at retail for use or consumption onsite or offsite. Not more than fifty thousand (50,000) gallons of wine per year may be manufactured at a specified location for such location to be considered a winery.

YARD: An open space on the same zoning lot with a building or group of buildings which is unoccupied and unobstructed from its lowest level upward, except as otherwise permitted in this Title, and which extends along a lot line and at right angles thereto to a depth or width specified in the yard regulations for the district in which the zoning lot is located.

YARD, FRONT: A yard extending across the full width of the zoning lot and lying between the front line of the lot and the nearest line of a building. Corner lots with property on two (2) intersecting streets shall provide two (2) front yards to meet the front yard requirements set forth herein. Reverse frontage or through lots having access on two (2) non-intersecting streets shall be required to provide a front yard on only one (1) street that upon which the proposed structure is to front unless both streets providing access serve as fronting streets for adjoining properties, in which case, a front yard shall be provided on both streets providing access.

YARD, REAR: A yard extending across the full width of the zoning lot and lying between the rear line of the lot and the nearest line of the principal building.

YARD, SIDE: That part of the yard lying between the nearest line of the principal building and a side lot line and extending from the required front yard (or from the front lot line, if there is no required front yard) to the required rear yard.

YARD, LANDSCAPED: The portion of the front yard a distance in depth as specified herein and right of way upon which the property fronts, or from the edge of the proposed right of way, if the fronting street or street rights of way are less than specified on the Official Map.

ZONING LOT: See “LOT.” (Ord. 78-31, 3-5-79)

SECTION 3: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 4: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 5: EFFECTIVE DATE This Ordinance shall be in full force and effect from and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VILLAGE OF MORTON PRESIDENT AND BOARD OF TRUSTEES _____.

	AYE	NAY	ABSENT	ABSTAIN
Trustee Blunier	_____	_____	_____	_____
Trustee Hilliard	_____	_____	_____	_____
Trustee Leitch	_____	_____	_____	_____
Trustee Menold	_____	_____	_____	_____
Trustee Parrott	_____	_____	_____	_____
Trustee Newman	_____	_____	_____	_____
President Kaufman	_____	_____	_____	_____

Presiding Officer

Attest

Jeffrey L. Kaufman, Village President,
Village of Morton

Zo M. Evans, Village Clerk, Village
of Morton

PETITION FOR ZONING AMENDMENT / SPECIAL USE PERMIT

Petition Number: 23-05 SP Date: 7/27/2023

1. Legal Description: Sec 16 T25N R3W Gingerich sub Final Plat Lot
1-B SE 1/4 1.42AC

Street Address: 820 N. Nebraska Morton IL 61550

2. Area of subject property: 40' x 250' = 10,000 sq. ft. or _____ Ac.

3. Present land use: Front ^{Gravel} lot used to store RV's, trailers, boats, semis ^{Risinger (Temp storage)}

Proposed land use or special use: Front Lot used to store RV's, Trailers, Boats, semi's (RV, trailer spots marked - 12' x 40' each)

Requested zoning change: from N/A District to _____ District

4. Surrounding zoning districts:
North Interstate 74 East Rail Road South Mini Storage West Wenniger Auto
Otto Baum

5. Subject property is owned by:
Name: Robert & Angela Gingerich
Address: 26770 Allentown Rd Tremont IL 61568

(If subject property is owned by a trustee, a written statement must be furnished by the trustee, disclosing the names of all beneficial owners. A change in any of the beneficial owners during the amendment/special use process must be disclosed immediately.)

- 6. A list of names and addresses of all property owners in the petition area (within 250 feet of the area affected by this petition) will be provided by the Village of Morton and attached hereto.
- 7. A statement is attached hereto, indicating why, in our opinion, the amendment or special use requested is necessary for the preservation and enjoyment of substantial property rights, and why such amendment or special use will not be detrimental to the public welfare, nor the property of other persons located in the vicinity thereof.
- 8. Additional exhibits submitted by the petitioner:


9. Petitioners' Signature:

Name: Angela Gingerich

Address: 26770 Allentown Rd Tremont 61568

Phone No.: 309-256-2709

Email Address: abgingerich@gmail.com

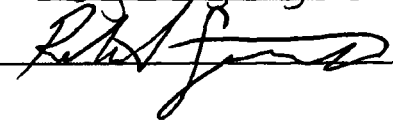
Signature: 

Name: Robert Gingerich

Address: 26770 Allentown Rd Tremont 61568

Phone No.: 309-208-8882

Email Address: bj@gingerichcrane.com

Signature: 

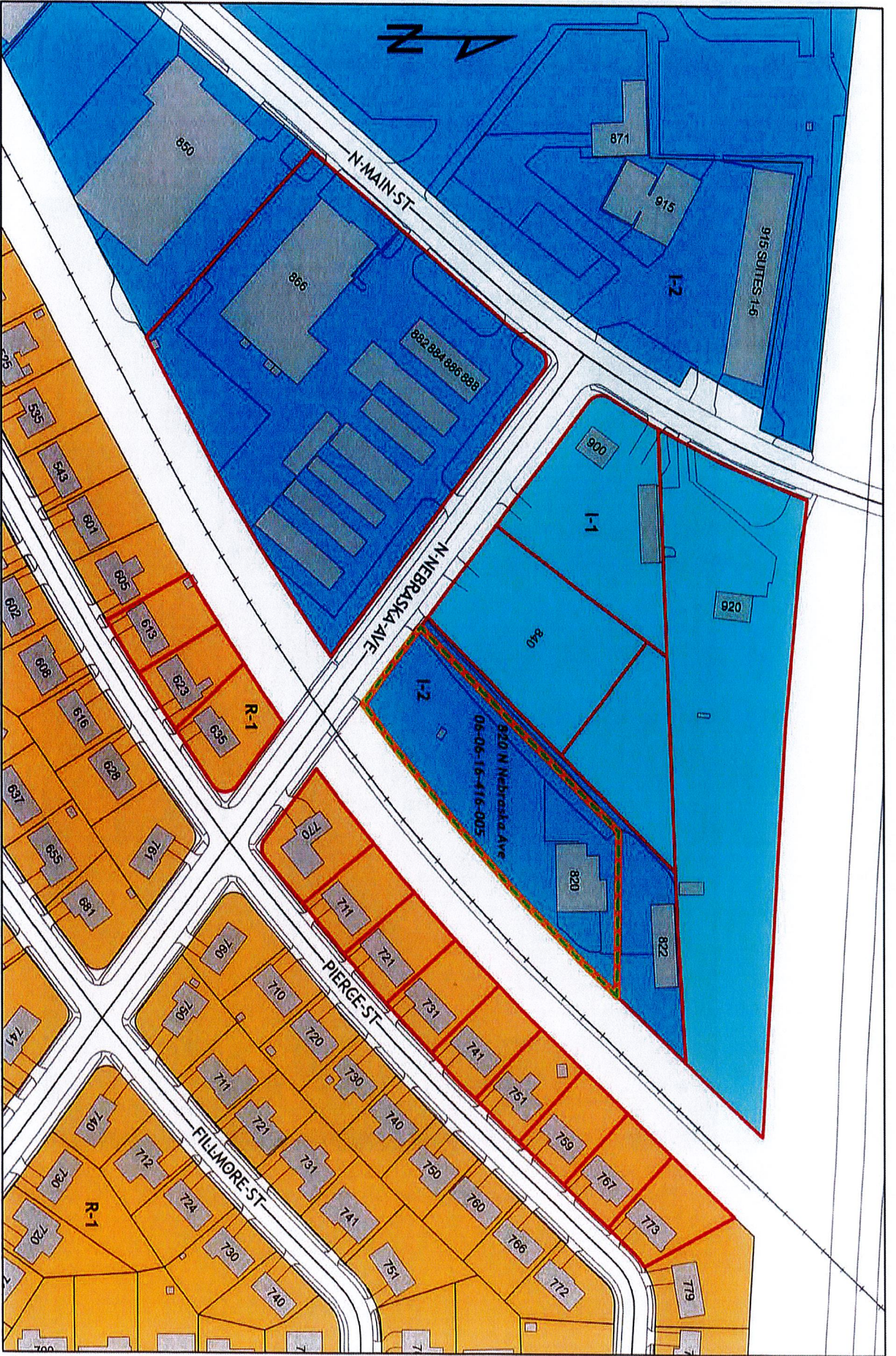
Name: _____

Address: _____

Phone No.: _____

Email Address: _____

Signature: _____



Special-Use Request

Morton, Illinois

820 N Nebraska Ave

06-06-16-416-005

- Building
- Parcel
- Parcel of Interest
- Parcels w/ in 250' of POI
- I-1 Restricted Industrial District
- I-2 General Industrial District
- R-1 One-Family



Map Created July 27th, 2023

North



Entrance off Nebraska



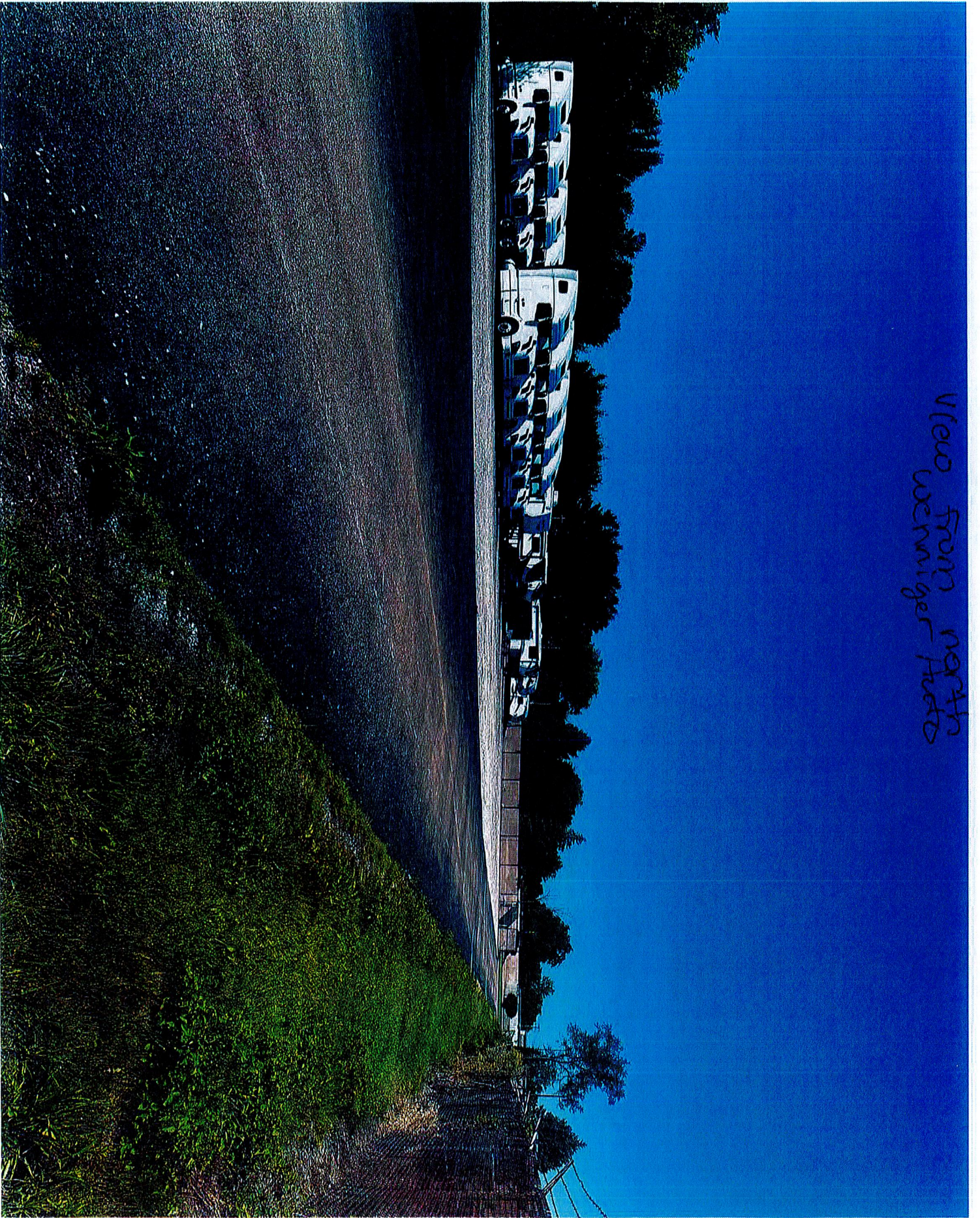


View from East

View From South
mini storage



View from north
Werniger-Huts



AGENDA
PLAN COMMISSION OF THE VILLAGE OF MORTON, ILLINOIS
7:00 P.M.
MONDAY, AUGUST 28, 2023
FREEDOM HALL, 349 W. BIRCHWOOD ST., MORTON, ILLINOIS

I. Call to Order / Roll Call

II. Approval of Minutes

Regular Meeting – July 24, 2023

III. Public Hearing(s):

Petition No. 23-05 SP: Subject property is located at 820 N. Nebraska Ave. (P.I.N. 06-06-16-416-005). A petition has been filed requesting a zoning change from I-2 to I-2 with a special use to permit outdoor storage of recreational vehicles, trailers, boats, and semis.

Petition No. 23-06: Subject property is 35.97 acres, +/-, located off of Timber Wolf Drive (Part of P.I.N. 06-06-05-200-047). A petition for annexation has been filed, and a Pre-Annexation Agreement proposed, whereunder the property would be rezoned upon annexation from R-S to R-1.

AN ORDINANCE MAKING AMENDMENTS TO TITLE 10 OF THE MORTON MUNICIPAL CODE REGARDING ZONING OF MASSAGE PARLORS

AN ORDINANCE MAKING AMENDMENTS TO CHAPTER 5 OF TITLE 10 OF THE MORTON MUNICIPAL CODE REGARDING OUTBUILDINGS

IV. Other Business:

None

A) Approval of Easement Vacation Plat (P.I.N. 06-06-17-100-029).

B) Approval of Preliminary and Final Plats of “Wolf Crossing V” described as A PART OF GOVERNMENT LOTS 1 AND 2 IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP-25-NORTH, RANGE 3-WEST OF THE THIRD PRINCIPAL MERIDIAN, VILLAGE OF MORTON, TAZEWELL COUNTY, ILLINOIS (Part of P.I.N. 06-06-05-200-047).

V. Brad Marks:

VI. Adjourn

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<p>1 PLAN COMMISSION OF THE VILLAGE OF MORTON, ILLINOIS</p> <p>2 DATE: August 28, 2023</p> <p>3 TIME: 7:00 p.m.</p> <p>4 PLACE: Freedom Hall 349 West Birchwood Morton, Illinois 61550</p> <p>5</p> <p>6 COMMISSION MEMBERS PRESENT:</p> <p>7 Mr. Gerald Ritterbusch Mr. Jeff Keach 8 Ms. Kara Knepp Mr. Nate Geil 9 Mr. Bill Aupperle Mr. Phil Zobrist 10 Mr. Grant Barton Mr. Pat McGrath 11 Mr. Craig Loudermilk Mr. Craig Hilliard 12</p> <p>13 MR. KEACH: Okay. Let's call this meeting 14 to order. This is the Plan Commission of the Village 15 of Morton, Illinois, for Monday August 28th, 2023. 16 Can we call the roll.</p> <p>17 MR. LOUDERMILK: Aupperle.</p> <p>18 MR. AUPPERLE: Here.</p> <p>19 MR. LOUDERMILK: Barton.</p> <p>20 MR. BARTON: Here.</p> <p>21 MR. LOUDERMILK: Geil.</p> <p>22 MR. GEIL: Here.</p> <p>23 MR. LOUDERMILK: Keach.</p>	<p>1 McGrath, give us some instruction.</p> <p>2 MR. MCGRATH: Thank you. Public hearings 3 are being held tonight pursuant to published notice. 4 Any person wishing to address the Planning Commission 5 will be sworn in by our court reporter and give their 6 testimony under oath or affirmation. At the 7 conclusion of the public hearing, the Planning 8 Commission will make a recommendation. The Planning 9 Commission makes recommendation on these matters. The 10 Village Board is responsible for taking final action.</p> <p>11 MR. KEACH: Okay. So first item this 12 evening on the public hearing is Petition No. 23-05 13 SP: Subject property is located at 820 North Nebraska 14 Avenue. A petition has been filed requesting a zoning 15 change from I-2 to I-2 with a special use to permit 16 outdoor storage of recreational vehicles, trailers, 17 boats and semis.</p> <p>18 Is Mr. Gingerich here? Would you like to 19 make a presentation this evening?</p> <p>20 MR. GINGERICH: I can, yeah.</p> <p>21 MR. KEACH: First you'll need to be sworn 22 in. 23 (Witness sworn.)</p>
Page 2	Page 4
<p>1 MR. KEACH: Here.</p> <p>2 MR. LOUDERMILK: Knepp.</p> <p>3 MS. KNEPP: Here.</p> <p>4 MR. LOUDERMILK: Ritterbusch.</p> <p>5 MR. RITTERBUSCH: Here.</p> <p>6 MR. LOUDERMILK: Yordy.</p> <p>7 (No response.)</p> <p>8 MR. LOUDERMILK: Zobrist.</p> <p>9 MR. ZOBRIST: Here.</p> <p>10 MR. KEACH: We have a quorum. We have some 11 minutes from our July meeting that need to be 12 approved.</p> <p>13 MR. ZOBRIST: I make a motion to approve the 14 minutes from July.</p> <p>15 MS. KNEPP: I'll second.</p> <p>16 MR. KEACH: Motion and a second. All in 17 favor say aye.</p> <p>18 ALL IN UNISON: Aye.</p> <p>19 MR. KEACH: All opposed.</p> <p>20 (No response.)</p> <p>21 MR. KEACH: Very good. All right. So we'll 22 get right into the public hearings. Before we do 23 that, we're going to have our legal counsel, Mr. Pat</p>	<p>1 MR. KEACH: Give your name and your address.</p> <p>2 MR. GINGERICH: BJ Gingerich. I reside at 3 26770 Allentown Road in Tremont, Illinois. Just 4 applying for a special use permit to store up to 14 5 RVs at 820 North Nebraska. We've been storing them 6 there for a number of years and just added some spots, 7 so just -- I believe my wife talked to the city, and 8 they were requesting us to get a special use permit to 9 continue doing that.</p> <p>10 MR. KEACH: Okay.</p> <p>11 MR. GINGERICH: There won't -- I mean, it's 12 basically -- they're 14 sections -- or 12 by 40 foot 13 spaces that we have marked off. Like I said, they're 14 on the gravel lot that's already there. We're not 15 changing any of the parking lot area. It's going to 16 remain gravel like it always has been, so I don't know 17 what all -- I mean, we sent in -- I got, you know, 18 some pictures and drawings and stuff of the spaces, so 19 I'm not sure if there's any other questions that you'd 20 have regarding that.</p> <p>21 MR. KEACH: Yeah. Does anybody on the board 22 have a question for Mr. Gingerich? 23 MR. BARTON: I have a question. Would this</p>

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1 be a secured lot or just leave it open the way you
 2 have it?
 3 MR. GINGERICH: So it's currently fenced on
 4 three sides, and then the gate remains open pretty
 5 much 24/7/365, so that's not going to get closed
 6 because there's another business back there -- or a
 7 couple businesses, I guess. But, yeah, there's a
 8 fence at the front of the road on Nebraska, and then
 9 there's kind of a berm and some natural trees and
 10 stuff on the backside.
 11 MR. BARTON: Yeah, I was looking at it.
 12 MR. KEACH: Any other questions for the
 13 petitioner? Thank you very much.
 14 MR. GINGERICH: Okay.
 15 MR. KEACH: And is there any anyone here
 16 this evening in the audience who would like to speak
 17 to this issue, this petition? Seeing none, I'd open
 18 it up for discussion among the board, if any, and if
 19 no questions, then a motion.
 20 MS. KNEPP: I'll make a motion to approve
 21 Petition 23-05 special use.
 22 MR. BARTON: I'll second.
 23 MR. KEACH: We have a first and a second.

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1 With no further discussion, we'll have a roll call.
 2 MR. LOUDERMILK: Okay. Barton.
 3 MR. BARTON: Yes.
 4 MR. LOUDERMILK: Geil.
 5 MR. GEIL: Yes.
 6 MR. LOUDERMILK: Keach.
 7 MR. KEACH: Yes.
 8 MR. LOUDERMILK: Knepp.
 9 MS. KNEPP: Yes.
 10 MR. LOUDERMILK: Ritterbusch.
 11 MR. RITTERBUSCH: Yes.
 12 MR. LOUDERMILK: Zobrist.
 13 MR. ZOBRIST: Yes.
 14 MR. LOUDERMILK: Aupperle.
 15 MR. AUPPERLE: Yes.
 16 MR. LOUDERMILK: Motion passes.
 17 MR. KEACH: Okay. Moving on to Petition
 18 No. 23-06: Subject property is 35.97 acres +/-
 19 located off of Timber Wolf Drive. A petition for
 20 annexation has been filed and a pre-annexation
 21 agreement proposed, where under the property would be
 22 rezoned upon annexation from R-S to R-1.
 23 Mr. Rinkenberger, would you like to make a

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1 presentation?
 2 MR. RINKENBERGER: Don't have much of a
 3 presentation.
 4 (Witness sworn.)
 5 MR. RINKENBERGER: I think you got the
 6 proposal in front of me. I guess I don't know if
 7 there's any other questions. We're just trying to
 8 extend Wolf Crossing subdivision, nine more lots out
 9 at the end of the cul de sac and end it at that end of
 10 the road. I guess that's really all I have.
 11 MR. KEACH: Okay. So, Craig, the only thing
 12 on this part of the agenda is just adding them to
 13 the -- annexing them to the Village of Morton?
 14 MR. LOUDERMILK: Well, this would be a
 15 zoning amendment to basically rezone from R-S to R-1.
 16 MR. KEACH: Any questions for
 17 Mr. Rinkenberger from the board?
 18 MR. BARTON: I have a question. The sewer
 19 system that goes out there now, will this be able to
 20 add on these additional lots okay?
 21 MR. RINKENBERGER: Yes. It was sized for
 22 the additional lots we're going to add on.
 23 MR. BARTON: Is there further additions you

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1 may have down the road?
 2 MR. RINKENBERGER: Not on the backside, but
 3 up front there's still some lots that could be put in
 4 up front.
 5 MR. BARTON: Okay.
 6 MR. KEACH: Any other questions? Thank you.
 7 And is there anyone in the audience who would like to
 8 address this petition? Seeing none, we'll close the
 9 hearing on that item, and we'll discuss or propose a
 10 motion.
 11 MR. ZOBRIST: I'll make a motion to approve
 12 Petition 23-06.
 13 MR. AUPPERLE: Second.
 14 MR. KEACH: We have a first and a second.
 15 If there's no further discussion, we'll have a roll
 16 call vote.
 17 MR. LOUDERMILK: Geil.
 18 MR. GEIL: Yes.
 19 MR. LOUDERMILK: Keach.
 20 MR. KEACH: Yes.
 21 MR. LOUDERMILK: Knepp.
 22 MS. KNEPP: Yes.
 23 MR. LOUDERMILK: Ritterbusch.

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1 MR. RITTERBUSCH: Yes.
 2 MR. LOUDERMILK: Zobrist.
 3 MR. ZOBRIST: Yes.
 4 MR. LOUDERMILK: Aupperle.
 5 MR. AUPPERLE: Yes.
 6 MR. LOUDERMILK: Barton.
 7 MR. BARTON: Yes.
 8 MR. LOUDERMILK: Motion passes.
 9 MR. KEACH: Okay. So the next item on the
 10 public hearing is an ordinance making amendments to
 11 Title 10 of the Morton Municipal Code regarding zoning
 12 of massage parlors. This has been proposed by the
 13 Village, so I would ask, Craig, is there anything that
 14 the Village or Mr. McGrath --
 15 MR. LOUDERMILK: Yeah, if you want to take
 16 it, that would be great.
 17 MR. McGRATH: I can speak to it. So
 18 periodically in working with administration, we review
 19 and identify issues where we may have a use that
 20 either is not presently defined that needs to be
 21 defined or may need to be moved or relocated. We
 22 currently don't have massage parlors defined as a
 23 specific use, and so we have catchall zoning for

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1 commercial uses in B-3.
 2 So the proposed ordinance would make massage
 3 parlors a defined use and then slot it in our schedule
 4 of uses as special use, which would then require an
 5 application and a hearing here with the ability to
 6 propose special conditions or restrictions before a
 7 new massage parlor could be located within the
 8 village.
 9 MR. KEACH: So is that a special use in B-3
 10 or B-2?
 11 MR. McGRATH: I need to pull the ordinance
 12 up. I believe it would be available in --
 13 MR. LOUDERMILK: B-2.
 14 MR. McGRATH: -- B-3 or B-2.
 15 MR. LOUDERMILK: Item 20, B-2.
 16 MR. KEACH: Any questions for Mr. McGrath
 17 from the board? Hearing none, are there any questions
 18 or comments from the public on this hearing item at
 19 this time? And I hear none, so I'll entertain a
 20 motion.
 21 MR. AUPPERLE: I'll make a motion.
 22 MS. KNEPP: I'll second.
 23 MR. KEACH: First and a second. Any further

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1 discussion? Let's have a roll call vote on it.
 2 MR. LOUDERMILK: Okay. Keach.
 3 MR. KEACH: Yes.
 4 MR. LOUDERMILK: Knepp.
 5 MS. KNEPP: Yes.
 6 MR. LOUDERMILK: Ritterbusch.
 7 MR. RITTERBUSCH: Yes.
 8 MR. LOUDERMILK: Zobrist.
 9 MR. ZOBRIST: Yes.
 10 MR. LOUDERMILK: Aupperle.
 11 MR. AUPPERLE: Yes.
 12 MR. LOUDERMILK: Barton.
 13 MR. BARTON: Yes.
 14 MR. LOUDERMILK: Geil.
 15 MR. GEIL: Yes.
 16 MR. LOUDERMILK: Motion passes.
 17 MR. KEACH: And the final item on the public
 18 hearing is an ordinance making amendments to Chapter 5
 19 of Title 10 of the Morton Municipal Code regarding
 20 outbuildings. And, again, this is proposed by the
 21 Village. So, Mr. McGrath, would you like to address
 22 the changes that you're talking about?
 23 MR. McGRATH: Sure. Yeah. The outbuildings

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1 ordinance derives from discussions with a developer on
 2 a proposal of crossing extensions. Those lots would
 3 be larger lots, and they perceive there to be interest
 4 in the ability to have those larger outbuildings on
 5 those larger lots.
 6 So in working with administrative staff, we
 7 focused on ways in which to afford that opportunity
 8 for larger lots within the village under regulations
 9 that ensure the exterior aesthetics don't make the
 10 property -- or make the outbuildings aesthetically
 11 unpleasing in trying to ensure those outbuildings are
 12 really devoted to an accessory use to the residence
 13 and not converted into dwelling units or business
 14 properties.
 15 MR. KEACH: Okay. So I'm sure the board has
 16 read through this. Are there any specific questions
 17 about this proposal from the board to Mr. McGrath?
 18 Okay. I hear none. Is there anyone from the public
 19 who would like to address this ordinance change? I
 20 see no one.
 21 So without further discussion or if there's
 22 no further discussion, I'll entertain a motion.
 23 MR. RITTERBUSCH: I'll make a motion that we

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1 approve this ordinance change.
 2 MR. ZOBRIST: Second.
 3 MR. KEACH: A motion and a second. Roll
 4 call.
 5 MR. LOUDERMILK: Okay. Knepp.
 6 MS. KNEPP: Yes.
 7 MR. LOUDERMILK: Ritterbusch.
 8 MR. RITTERBUSCH: Yes.
 9 MR. LOUDERMILK: Zobrist.
 10 MR. ZOBRIST: Yes.
 11 MR. LOUDERMILK: Aupperle.
 12 MR. AUPPERLE: Yes.
 13 MR. LOUDERMILK: Barton.
 14 MR. BARTON: Yes.
 15 MR. LOUDERMILK: Geil.
 16 MR. GEIL: Yes.
 17 MR. LOUDERMILK: Keach.
 18 MR. KEACH: Yes.
 19 MR. LOUDERMILK: Motion passes.
 20 MR. KEACH: Okay. So that closes and ends
 21 our public hearing of the evening. We have a couple
 22 items of other business to deal with here.
 23 Item A is the approval of an easement

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1 vacation plat. And, Craig, can I ask you to introduce
 2 this to us.
 3 MR. LOUDERMILK: Yep. You guys recently, I
 4 think, came before the commission here. Two gentlemen
 5 that are wishing to develop this into storage units,
 6 so we're actually finalizing the design. I have
 7 another meeting this week, and we're about done.
 8 They're going to be ready to break ground.
 9 Unfortunately, sometimes these things are
 10 missed, come in title searches, stuff like that, but
 11 there's a 12-foot utility easement here that, after
 12 review by myself and staff, we believe it was put in
 13 there years ago, probably for a future road or
 14 something like that, but we don't see that as
 15 necessary going forward, so that's what's in front of
 16 you tonight is a vacation of that, that they're
 17 looking to get that taken care of because it affects
 18 their plans, if that makes sense. I'd be glad to
 19 answer any questions.
 20 MR. KEACH: Any questions for
 21 Mr. Loudermilk? Hearing none, do we have a motion?
 22 MR. AUPPERLE: I'll make a motion.
 23 MR. GEIL: Second.

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1 MR. KEACH: First and a second and a roll
 2 call, please.
 3 MR. LOUDERMILK: All right. Ritterbusch.
 4 MR. RITTERBUSCH: Yes.
 5 MR. LOUDERMILK: Zobrist.
 6 MR. ZOBRIST: Yes.
 7 MR. LOUDERMILK: Aupperle.
 8 MR. AUPPERLE: Yes.
 9 MR. LOUDERMILK: Barton.
 10 MR. BARTON: Yes.
 11 MR. LOUDERMILK: Geil.
 12 MR. GEIL: Yes.
 13 MR. LOUDERMILK: Keach.
 14 MR. KEACH: Yes.
 15 MR. LOUDERMILK: Knepp.
 16 MS. KNEPP: Yes.
 17 MR. LOUDERMILK: Motion passes.
 18 MR. KEACH: Okay. And then last but not
 19 least, approval of preliminary and final plats of
 20 "Wolf Crossing V" described as a part of Government
 21 Lots 1 and 2 and the northeast quarter of Section 5,
 22 Township-25-North, Range 3-West of the Third Principal
 23 Meridian, Village of Morton, Tazewell County,

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1 Illinois.
 2 So we have had preliminary and final plats
 3 before us before. Is there anything here,
 4 Mr. Loudermilk, that we need to take note of?
 5 MR. LOUDERMILK: We've been working with
 6 Chuck for several months. We're still finalizing the
 7 design, but, I mean, it fits within these limits, and
 8 we anticipate approval of that prior to the board
 9 meeting, if you guys recommend this to them. So we're
 10 happy with what's here and feel like this would be an
 11 excellent extension of Wolf Crossing and a nice thing
 12 for the Village of Morton.
 13 MR. KEACH: Okay. Any questions for the
 14 village from the board? Then let's have a motion to
 15 approve both of them.
 16 MR. BARTON: I make a motion.
 17 MR. ZOBRIST: Second.
 18 MR. KEACH: We have a motion and a second
 19 and a roll call vote, please.
 20 MR. LOUDERMILK: Zobrist.
 21 MR. ZOBRIST: Yes.
 22 MR. LOUDERMILK: Aupperle.
 23 MR. AUPPERLE: Yes.

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1 MR. LOUDERMILK: Barton.
 2 MR. BARTON: Yes.
 3 MR. LOUDERMILK: Geil.
 4 MR. GEIL: Yes.
 5 MR. LOUDERMILK: Keach.
 6 MR. KEACH: Yes.
 7 MR. LOUDERMILK: Knepp.
 8 MS. KNEPP: Yes.
 9 MR. LOUDERMILK: Ritterbusch.
 10 MR. RITTERBUSCH: Yes.
 11 MR. LOUDERMILK: Motion passes.
 12 MR. KEACH: And the fifth item on the agenda
 13 is Brad Marks. Is there any further presentation from
 14 the village?
 15 MR. LOUDERMILK: Nothing further from the
 16 village.
 17 MR. KEACH: Okay. Then let's have a motion
 18 to adjourn.
 19 MR. ZOBRIST: I would make a motion. I'd
 20 also like to say that I'm sure our thoughts and
 21 prayers are with Brad and his wife, Tina, as he's
 22 going through some medical challenges right now, and I
 23 will make a motion to adjourn.

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1 MR. AUPPERLE: Second.
 2 MR. KEACH: And a second. All in favor say
 3 aye.
 4 ALL IN UNISON: Aye.
 5 MR. KEACH: All apposed say no.
 6 (No response.)
 7 MR. KEACH: We are adjourned.
 8 (Meeting adjourned at 7:18 p.m.)
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1 CERTIFIED SHORTHAND REPORTER'S CERTIFICATE
 2
 3 I, Leigh C. Thompson, CSR, RPR, a Certified
 4 Shorthand Reporter in and for the State of Illinois,
 5 and the Certified Shorthand Reporter who reported the
 6 proceedings had on said day in this cause, do hereby
 7 certify that the foregoing transcript of proceedings
 8 is a true and complete transcript of proceedings had
 9 on said day in this cause.
 10 IN TESTIMONY WHEREOF, I have hereunto set my
 11 hand this 29th day of August, A.D. 2023.
 12
 13
 14 *Leigh Thompson*
 15 CSR, RPR,
 16 (License #084-004885)
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 18
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 21
 22
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**MORTON PLAN COMMISSION
MINUTES-JULY 24, 2023**

The Plan Commission met on Monday, July 24, 2023, at 7:00 P.M., Chairman Keach presiding. Present: Geil, Knepp, Ritterbusch, Keach, Zobrist, Aupperle, Yordy. Absent: Barton. Also, in attendance: Zoning Officer Brad Marks, Trustee Craig Hilliard and Attorney Pat McGrath.

Aupperle made a motion to approve the minutes from the June 26, 2023, meeting. Zobrist seconded the motion to approve. This was followed by a vote to approve.

Yes-Zobrist, Keach, Knepp, Aupperle, Ritterbusch, Geil, Yordy.

No-None

Chairman Keach stated the need to elect a Vice Chairman to fill the open position left after Chad Dewese resigned from the Plan Commission. A motion to elect Bill Aupperle as the Vice Chairman was made by Keach. A second motion to elect Bill Aupperle was made by Yordy. This was followed by a vote to approve Bill Aupperle as Vice Chairman.

Yes-Zobrist, Keach, Knepp, Aupperle, Ritterbusch, Geil, Yordy.

No-None

Public Hearing(s):

Petition No. 23-04 ZA: Subject property is located at 121 West Ashland Street. (Part of Parcel Identification Number 06-06-17-203-002). A petition has been filed requesting a zoning change from I-2 to B-3. Zoning Officer Marks, as a representative of the Village of Morton, presented the petition. ZEO Marks stated that this parcel was subdivided last month, and the rezoning of the new parcel fits in with the surrounding parcels. After discussion from the Commission (see transcripts), a motion to approve was made by Zobrist. A second motion to approve was made by Ritterbusch. This was followed by a vote to approve.

Yes-Zobrist, Keach, Knepp, Aupperle, Ritterbusch, Geil, Yordy.

No-None

Approved with a favorable recommendation.

AN ORDINANCE MAKING AMENDMENTS TO TITLE 10-10-4 OF THE MORTON MUNICIPAL CODE REGARDING RESUBMITTAL OF DENIED REQUESTS FOR ZONING RELIEF. Zoning Officer Marks presented the Ordinance to the Commission. ZEO Marks stated that through discussions internally that the Municipal Code did not address any timelines in which someone could reapply for zoning relief. Staff felt there is a need to create a timeline for applying for zoning relief. After discussion from the Commission (see transcripts), a motion to approve the ordinance with the timeline being changed to twelve (12) months as opposed to the presented eighteen (18) months was made by Ritterbusch. A second motion to approve as stated was made by Aupperle. This was followed by a vote to approve as stated.

Yes-Zobrist, Keach, Aupperle, Ritterbusch, Geil, Yordy.

No-Knepp

Approved with a favorable recommendation.

Other Business:

Nothing

Brad Marks:

Nothing

With no further business, Knepp made a motion to adjourn. A second motion to adjourn was made by Geil. With a voice roll call, there was unanimous approval to adjourn.