

KANE COUNTY DEVELOPMENT DEPARTMENT

Zoning Division, Kane County Government Center

719 Batavia Avenue

Geneva, Illinois 60134

Office (630) 232-3492 Fax: (630) 232-3411

Received Date

**ZONING MAP AMENDMENT APPLICATION**

*Instructions:*

To request a map amendment (rezoning) for a property, complete this application and submit it with all required attachments to the Subdivision and Zoning Division.

When the application is complete, we will begin the review process.

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

1. Property Information:	Parcel Number (s): 05-36-400-024 <del>05-36-400-025</del> 05-36-400-026 <del>05-36-400-027</del>
	Street Address (or common location if no address is assigned): 39W510 McDONALD ROAD SOUTH ELLIN, IL 60177

2. Applicant Information:	Name PONDS OF STONY CREEK, LLC	Phone (847) 695-4320
	Address 1635 SHANAHAN DRIVE	Fax
	SOUTH ELLIN, IL 60177	Email JASONE.SHANAHAN@LAWOFFICE.COM

3. Owner of record information:	Name PONDS OF STONY CREEK LLC	Phone (847) 695-4320
	Address 1635 SHANAHAN DRIVE	Fax
	SOUTH ELLIN, IL 60177	Email JASONE.SHANAHAN@LAWOFFICE.COM

**Zoning and Use Information:**

2030 Plan Land Use Designation of the property: \_\_\_\_\_

Current zoning of the property: PUD

Current use of the property: FARMING

Proposed zoning of the property: F1 AND F

Proposed use of the property: RESIDENTIAL + FARMING

If the proposed Map Amendment is approved, what improvements or construction is planned? (An accurate site plan may be required)

ONE SINGLE FAMILY RESIDENCE + SEPTIC SYSTEM

**Attachment Checklist**

- Plat of Survey prepared by an Illinois Registered Land Surveyor.
- Legal description (2)
- Completed Land Use Opinion application (Available in pdf form at [www.kanedupageswed.org/luo.pdf](http://www.kanedupageswed.org/luo.pdf)), as required by state law, mailed to: The Kane Dupage Soil and Water Conservation District, 545 S. Randall Road, St. Charles, IL 60174.
- Endangered Species Consultation Agency Action Report (available in pdf form at [www.dnr.state.il.us/orep/nrrc/aar.htm](http://www.dnr.state.il.us/orep/nrrc/aar.htm)) to be filed with the Illinois Department of Natural Resources.
- List of record owners of all property adjacent & adjoining to subject property
- Trust Disclosure (If applicable)
- Findings of Fact Sheet
- Application fee (make check payable to Kane County Development Department)

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

PONDS OF STONY CREEK LLC, BY 03/27/15  
Record Owner Date

Cynthia J. Shanahan 04/02/15  
Applicant or Authorized Agent Date



**Zoning Request Report**  
County of Kane

Kane County Development  
719 Batavia Ave  
Geneva, IL 60134  
Phone: (630) 232-3492  
Fax: (630) 232-3411

TO: Kane County Zoning Board Of Appeals  
Kane County Development Committee  
County Board Member District  
Janice Hill                      Carl Scheodel                      Mark VanKerkhoff                      Monica Meyers  
Petitioner

**PETITION NUMBER** 2015-4354 **Date** 06/29/2015

GENERAL INFORMATION

**APPLICANT:** PONDS OF STONY CREEK LLC,  
  
1635 SHANAHAN DR  
SOUTH ELGIN 601772276

**PURPOSE:** THE PROPERTY WAS REZONED TO PUD FOR A PROPOSED SUBDIVISION. THE OWNER IS NO LONGER INTERESTED IN A SUBDIVISION AND WOULD LIKE TO REZONE THE PROPERTY BACK TO F WITH A SMALL PARCEL OF F-1 FOR A NEW SINGLE FAMILY HOME

**EXISTING ZONING:** PUD - PLANNED UNIT DEVELOPMENT;

**REQUESTED ACTION:** F - FARMING; F-1 - RURAL RESIDENTIAL;

**SIZE:** 39.18 ACRES

**LOCATION:** APPROXIMATELY 300' NORTH OF THE INTERSECTION OF PHAR LAP DRIVE AND MCDONALD ROAD, SECTION 36, PLATO TOWNSHIP (05-36-400-024 & 026)

<b>SURROUNDING</b>	<b>ZONING</b>	<b>USE</b>
NORTH	CITY OF ELGIN	OPEN SPACE;
SOUTH	E-1 - ESTATE RESIDENTIAL; VILLAGE OF CAMPTON HILLS	RESIDENTIAL;
EAST	F - FARMING;	AGRICULTURAL;
WEST	VILLAGE OF CAMPTON HILLS	AGRICULTURAL;

**EXISTING LAND USE:** AGRICULTURAL;

**LAND USE PLAN DESIGNATION:** RURAL RESIDENTIAL/PROPOSED OPEN SPACE

**ZONING HISTORY:** REZONED FROM F TO PUD IN 1994 FOR A SUBDIVISION

**APPLICABLE LAND USE REGULATION:** ARTICLE VIII, SECTIONS 8.1 AND 9.2 OF THE KANE COUNTY ZONING ORDINANCE

June 30, 2015

Ponds of Stony Creek, LLC  
Rezoning from PUD to F & F-1

**Special Information:** In 1994 the property was rezoned to PUD to a subdivision, which would have included 12 new parcels for homes. Due to in a change of ownership the subdivision was never built and the subdivision plat was never recorded. After the Village of Campton Hills was incorporated, a portion of the property along its western side was annexed into the Village. Since the entire property is less than 40 acres, the current owner is requesting a down-zoning from PUD to F and F-1, which would allow one single family home to be constructed in the proposed F-1 zoned portion of the property.

**Analysis:** The Kane County 2040 Land Resource Management Plan designates this area as Agricultural. The Plan recognizes that not all land in this area is suitable for farming and that some land can be used for farmsteads and very low density residential uses.

**Findings of Fact:**

1. The rezoning will eliminate zoning for a subdivision which will not ever be built
2. The rezoning would allow one single family residence to be constructed on the property.

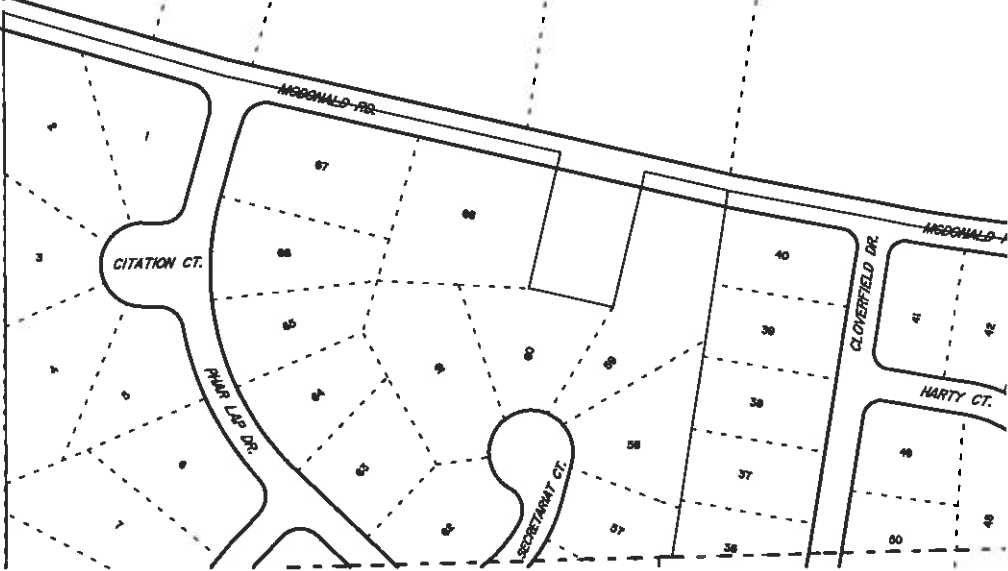
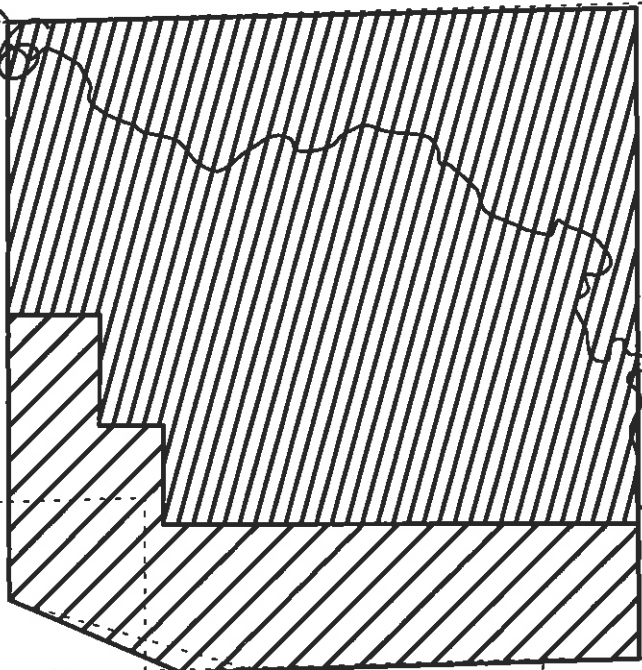
Attachments: Location Map  
Township Map



Stony Creek

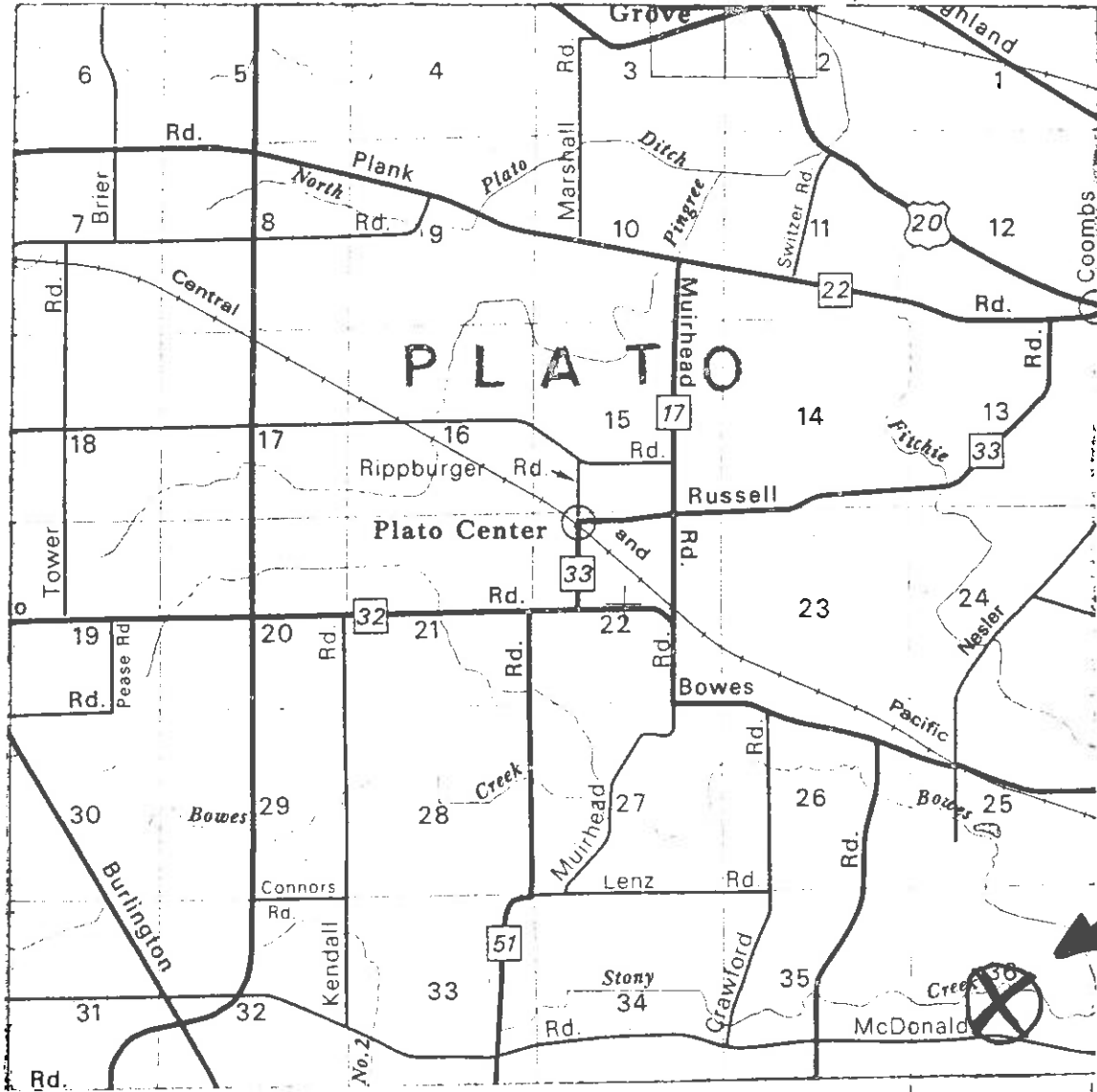
MCDONALD RD.

Ponds of Stony Creek, LLC.



PLATO TWP.  
T. 41N. - R. 7E

map 5



1" = MILE

PARCEL F1 - LEGAL DESCRIPTION:

That part of the Southeast Quarter of Section 36, Township 41 North, Range 7 East of the Third Principal Meridian, in the Township of Plato, Kane County, Illinois, described as follows:

Commencing at the northwest corner of said Southeast Quarter; thence on an assumed bearing of North 88 degrees 26 minutes 42 seconds East, 23.00 feet along the north line of said Southeast Quarter to an iron rod found, said rod being on the corporate line of Campton Hills; thence South 00 degrees 40 minutes 17 seconds East, 593.10 feet on said corporate line said line also parallel with the west line of said Southeast Quarter to the Point of Beginning; thence South 90 degrees 00 minutes 00 seconds East, 187.37 feet; thence South 00 degrees 00 minutes 00 seconds East 225.00 feet; thence South 90 degrees 00 minutes 00 seconds East, 130.00 feet; thence South 00 degrees 00 minutes 00 seconds East 200.00 feet; thence South 90 degrees 00 minutes 00 seconds East, 1000.00 feet to the east line of the Northwest Quarter of said Southeast Quarter; thence South 00 degrees 30 minutes 17 seconds East 267.08 feet on said east line, to a found iron rod at the southeast corner of the Northwest Quarter of said Southeast Quarter; thence South 88 degrees 21 minutes 33 seconds West 951.39 feet on the south line of said Northwest Quarter of the Southeast Quarter said south line also being the aforesaid corporate line of Campton Hills, beginning 1130.02 feet east of the southwest corner of said Northwest quarter of the Southwest Quarter; thence North 67 degrees 04 minutes 55 seconds West 393.13 feet on said corporate line; thence North 00 degrees 40 minutes 17 seconds West, 566.26 feet on said corporate line to the Point of Beginning.

Said Parcel contains 10.335 Acres more or less.



PARCEL F - LEGAL DESCRIPTION:

That part of the Southeast Quarter of Section 36, Township 41 North, Range 7 East of the Third Principal Meridian, in the Township of Plato, Kane County, Illinois, described as follows:

Commencing at the northwest corner of said Southeast Quarter; thence on an assumed bearing of North 88 degrees 26 minutes 42 seconds East, 23.00 feet along the north line of said Southeast Quarter to an iron rod found, said rod being on the corporate line of Campton Hills for the Point of Beginning; thence South 00 degrees 40 minutes 17 seconds East, 593.10 feet on said corporate line said line also parallel with the west line of said Southeast Quarter; thence South 90 degrees 00 minutes 00 seconds East, 187.37 feet; thence South 00 degrees 00 minutes 00 seconds East 225.00 feet; thence South 90 degrees 00 minutes 00 seconds East, 130.00 feet; thence South 00 degrees 00 minutes 00 seconds East 200.00 feet; thence South 90 degrees 00 minutes 00 seconds East, 1000.00 feet to the east line of the Northwest Quarter of said Southeast Quarter; thence North 00 degrees 30 minutes 17 seconds West 1053.76 feet on said east line, to a found iron pipe at the northeast corner of said Northwest quarter of the Southeast Quarter; thence South 88 degrees 26 minutes 42 seconds West 1315.53 feet on the north line of said Northwest quarter of the Southeast Quarter to the Point of Beginning.

Said Parcel contains 28.845 Acers more or less.