

KANE COUNTY DEVELOPMENT DEPARTMENT
 Zoning Division, Kane County Government Center
 719 Batavia Avenue
 Geneva, Illinois 60134
 Office (630) 444-1236 Fax: (630) 232-3411

Received Date

D2-2017-0005

**APPLICATION FOR ZONING MAP AMENDMENT
 AND/OR SPECIAL USE**

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): 12-30-300-011
	Street Address (or common location if no address is assigned): 2S976 Deerpath Road Batavia, Illinois 60510

2. Applicant Information:	Anton T. Marano, Trustee of the Anton T. Marano Rev. Trust dated 7/31/06.	
	Name c/o Attorney James F. Cooke	Phone 630-584-6800
	Address 215 W. Illinois Street	Fax 630-584-6103
	St. Charles, Illinois 60174	Email jcooke@jimcookelaw.com

3. Owner of record information:	Name Same as above	Phone
	Address	Fax
		Email

Zoning and Use Information:

2040 Plan Land Use Designation of the property: Countryside/Estate Residential

Current zoning of the property: F-Farming

Current use of the property: Agriculture, horse stable/animal husbandry

Proposed zoning of the property: Special Use for a public stable for up to 40 horses

Proposed use of the property: Agriculture, public stable

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

The existing stable and riding arena will be demolished and a new, modern state of the art 44 stall horse stable and indoor riding arena will be constructed.

Attachment Checklist

- Plat of Survey prepared by an Illinois Registered Land Surveyor.
- Legal description
- Completed Land Use Opinion application (Available in pdf form at 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) 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.

Antonio Varano
Record Owner
Date 1/11/17

J.A. Parker, Atty.
Applicant or Authorized Agent
Date 1/10/17

Findings of Fact Sheet – Map Amendment and/or Special Use

- *The Kane County Zoning Board is required to make findings of fact when considering a rezoning. (map amendment)*
- *You should “make your case” by explaining specifically how your proposed rezoning relates to each of the following factors.*

McIntyre Stables
Name of Development/Applicant

January 4, 2017
Date

See Attached Addendum

1. How does your proposed use relate to the existing uses of property within the general area of the property in question?

2. What are the zoning classifications of properties in the general area of the property in question?

3. How does the suitability of the property in question relate to the uses permitted under the existing zoning classification?

4. What is the trend of development, if any, in the general area of the property in question?

5. How does the projected use of the property, relate to the Kane County 2040 Land Use Plan?

FINDING OF FACT SHEET – REZONING

ADDENDUM

McIntyre Stables
Special Use for a Public Stable
January 4, 2017

#1: The existing uses in the general area are large lot residential estate, many with horses, agriculture and open space.

#2: The zoning classification of properties in the general area is F-Farming and E-3, E-2A, E-2 and E-1, Estate Residential.

#3: The Subject Property is suitable in size, configuration and location to the proposed use. The existing stable use is perfect for the proposed public stable use.

#4: Large lot residential estate, farming, equine uses, and open space.

#5: The proposed Special Use is compatible with the 2040 Plan and enhances the implementation of the goals, objectives and policies of the Plan.

Findings of Fact Sheet – Special Use



McIntyre Stables
Special Use Request

January 4, 2017
Date

- *The Kane County Zoning Board is required to make findings of fact when considering a special use.*
- *Special Uses shall be considered at a public hearing before the Zoning Board of Appeals. In its report of findings of facts, recommendations shall be made to the County Board following the public hearing. The Zoning Board **will not** recommend a special use **unless** the following items are addressed:*

See Attached Addendum

6. Explain how the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

7. Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity.

8. Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property.

9. Will adequate utility, access roads, drainage and other necessary facilities be provided?
Please explain:

FINDING OF FACT SHEET – SPECIAL USE

ADDENDUM

McIntyre Stables
Special Use for Public Stable
January 4, 2017

#6: The operation of a public stable will not be detrimental to the public health, safety, morals, comfort or general welfare of the surrounding population or land uses since it is a self-contained operation and relates to an agricultural/equestrian use which is consistent with the surrounding area and continues the stable use that has been in operation on the property for several decades.

#7: The operation of a public stable will not be injurious to the use, enjoyment or value of other property in the immediate vicinity, since the agricultural utilization of the property is consistent with the primarily agricultural and estate residential uses adjoining the farm on the north, south, west and east sides of the property.

#8: The surrounding property will not be impeded in its development and/or improvement since the proposed public stable will not substantially impact any future uses of the surrounding property. The property to the north of the special use is owned by the petitioners, and to the east of that are established large lot estate residential subdivisions which are already fully developed and many include horses and equine facilities. Adjacent to the west and south are agricultural farm operations or large lot estate uses which will not be impacted by the proposed use.

#9: The public stable will be serviced by well and septic, which will be adequately accommodated on the 17.9 acres of the property. The drainage and other facilities will also be developed on the 17.9 acres and the parcel to the west owned by the stable, and will be consistent with the Kane County Storm Water Regulations. The primary access to McIntyre Stables shall be from the two (2) existing access points on Deerpath and Seavey Roads, and given the limited amount of traffic anticipated for the operation of the stable, there will be no significant increase in traffic and the road shall be sufficient in its present configuration to accommodate the existing and anticipated traffic.

#10: It is anticipated that the existing accesses to the stable will be the only accesses necessary for the operation of the stable. The nature of the training operation dictates a minimum amount of additional traffic to and from the stable, since this is not a public livery but rather a private training operation where the customers tend to be absentee.

#11: The special use will conform to all regulations of the district in which it is located, specifically it shall be developed consistent with the Kane County Storm Water Regulations and the Kane County Building Code. As stated above, the operation of the public stable will not significantly increase the traffic load on Deerpath and Seavey Roads and will be consistent with the zoning and use parameters of the Kane County Zoning Ordinance.

LAW OFFICES
OF
JAMES F. COOKE, LTD.
A PROFESSIONAL CORPORATION

215 WEST ILLINOIS STREET
ST. CHARLES, ILLINOIS 60174-2850

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TELEPHONE (630) 584-6800
EMAIL: JCOOKE@JIMCOOKELAW.COM

January 10, 2017

Kane County Zoning Board of Appeals
Attn: Zoning Enforcing Officer
719 Batavia Avenue
Geneva, Illinois 60134

**Re: Petition for Special Use
Legal Description of Subject Property is attached hereto
Commonly known as 2S976 Deerpath Rd., Batavia, Illinois 60510, (the Subject Property)**

**PETITION FOR SPECIAL USE IN THE F DISTRICT
FOR A PUBLIC STABLE**

Members of the Kane County Zoning Board of Appeals:

The Petitioner does hereby state as follows:

1. The titleholder/Petitioner of the Subject Property is Anton T. Marano, Trustee of the Anton T. Marano Rev. Trust dated 7/31/06.
2. The Subject Property is zoned F District Farming and has been a highly regarded public stable for the boarding and training of horses in excess of fifty (50) years.
3. Petitioner requests: a) that the Subject Property be granted a Special Use in the F District for a Public Stable to accommodate no more than forty (40) horses.
4. The Petitioner will be operating a high end public training facility for hunter/jumper horses. The Petitioner's training operation and facility will not increase traffic to and from the farm since the requested Special Use is for a lesser number of horses than the previous permitted use.
5. The Petitioner has shown on the site plan, attached hereto as Exhibit A, the improvements proposed for the Subject Property. These improvements include a main training barn, with attached indoor arena, and upgrades to the perimeter fencing.

JAMES F. COOKE, LTD.

Petition for Special Use
January 10, 2017
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It is Petitioner's position that the Special Use for a Public Stable requested herein is reasonable and consistent within the parameters of the Kane County Zoning Ordinance and the Kane County Comprehensive Land Use Plan.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "J. Cooke".

James F. Cooke
Attorney for the Petitioner

JFC:am

Anton Marano Revocable Trust (*McIntyre Stables*)
Special Use in the F-Farming District for a public horse stable

Special Information: The petitioners are requesting a Special Use for a public horse stable for up to 40 horses. The existing stable and riding arena will be demolished and replaced with a new facility. The petitioner's stable will operate as a high-end public training facility for hunter/jumper horses.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as a Countryside/Estate Residential. The gross density should not generally exceed an average of one dwelling unit per four acres of land

Staff recommended Finding of Facts:

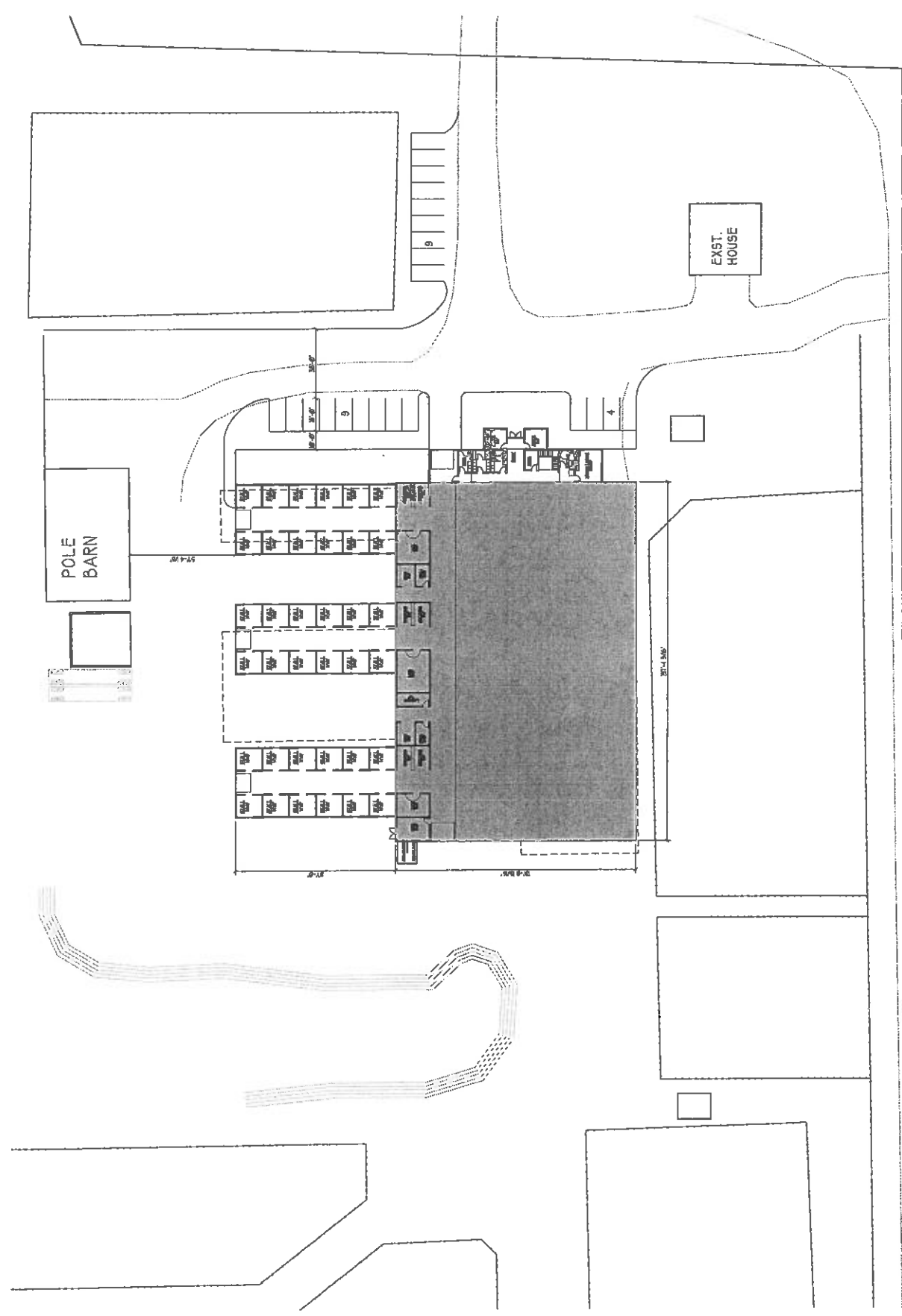
1. The Special Use will bring the property into conformance for a public horse stable.

Attachments: Location Map
 Township Map
 Petitioner's finding of fact sheet

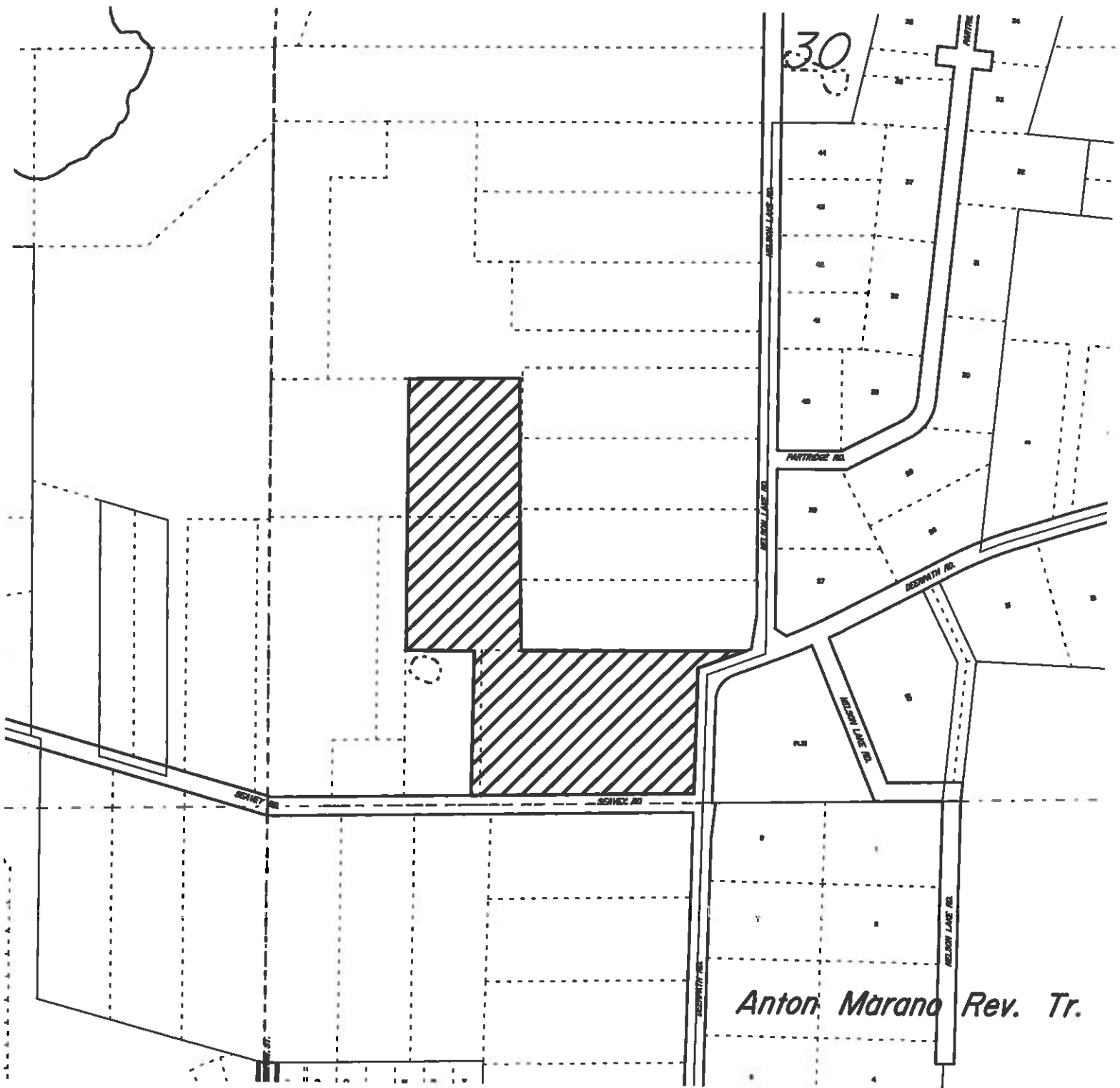
SITE PLAN

MCINTYRE STABLES
 HORSE BARN - ARENA
 25976 DEERPATH ROAD
 BATAVIA, IL

DAVID A. SCHULZ
 ARCHITECTS
 1700 N. HARRIS STREET
 BATAVIA, IL 60103
 TEL: 630.475.1000
 FAX: 630.475.1001



1 SITE PLAN
 A-0.0 SCALE 1" = 20'-0"



30

Anton Marano Rev. Tr.

