

KANE COUNTY DEVELOPMENT DEPARTMENT
Subdivision and Zoning Division, Kane County Government Center
719 Batavia Avenue
Geneva, Illinois 60134
Office (630) 232-3492 Fax: (630) 232-3411

4450

Received Date

**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): Part of 10-04-300-004
	Street Address (or common location if no address is assigned): ON145 Watson Road Maple Park, IL 60151

2. Applicant Information:	Name Development Properties, Inc. John A. Thornhill, President	Phone 630-584-3303
	Address 44 White Oak Circle, St. Charles, IL 60174-4165	Fax 630-584-3303
		Email JATLDC@sbcglobal.net

3. Owner of record information:	Name East Watson, LLC, 1N318 Watson, Maple Park, Illinois 60151	Phone 815-791-1752
	Address 1N318 Watson Road Maple Park, IL 60151-9033	Fax
		Email kim@kuiipersfamilyfarm.com

Zoning and Use Information:

2040 Plan Land Use Designation of the property: Agriculture

Current zoning of the property: F District-Farming

Current use of the property: Farming

Proposed zoning of the property: F2 District-Agricultural related sales, service, processing, research, warehouse and marketing.

Proposed use of the property: Special Uses: Horticultural Services—expanded to include sale of bakery goods, hard cider and other alcoholic beverages produced from agricultural products grown onsite; building constructed will include bakery as well as a venue for wedding and other social events throughout the year, all as described in attached stipulation.

If the proposed Map Amendment is approved, what improvements or construction is planned? (An accurate site plan may be required)
A multi-purpose building, with driveways, parking, well and septic system, and similar infrastructure, required to accommodate all equipment necessary for the production, sale and service of baked goods and hard cider, and which can also be used as a venue for weddings and other social events.

Attachment Checklist

- Plat of Survey prepared by an Illinois Professional Land Surveyor = **Exhibit B**
- Legal description = **Exhibit A**
- 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
- Aerial (air photo) with property clearly highlighted. See KC GIS Aerial Photo (**Exhibit C**).
- Trust or LLC Manager Disclosure (If applicable)
- Findings of Fact Sheet
- Application fee (make check payable to Kane County Development Department) **\$2250.00**
- Site plan drawn to scale to demonstrate property can meet requirements of proposed zoning district (parking requirements, setbacks, landscaping, etc.) **Exhibit D**

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.

Record Owner: East Watson LLC, 1N318 Watson, Maple Park, Illinois

By: 
Kim Kuipers, manager


Wade Kuipers, manager

5/10/2018
Date

Applicant or Authorized Agent:  John A. Thornhill, President, DPI

5/10/2018
Date

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.*

Kuipers Rezoning-F2 District—Cidery/DPI
Name of Development/Applicant

May 11, 2018
Date

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

Except for construction of one masonry structure to accommodate a wedding venue and hard cider manufactory with necessary parking, there will be no changes that would be inconsistent with the present or surrounding land uses.

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

The F District-Farming classification predominates the area except for other F2-District classifications that exist on other nearby portions of the petitioners’ property. The nearest significant residential use is ¼ mile to the east and southeast of the subject property.

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

Most of the subject property presently in the F District has been under-utilized for agricultural purposes due to hilly conditions. Since it is a prominent site, and well-suited for the proposed use as a cidery where hard cider will be made from apples grown on property owned by petitioners, the building will also be constructed for use as a wedding venue, oriented to minimize disturbance to anyone but to maximize the ambience of its rural setting and use of other existing agri-business infrastructure.

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

Except for the petitioners’ agri-tainment use of various portions of their property during the past 15 years, there has been no perceptible development in the immediate area.

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

The proposed re-classification and use is compatible with the 2040 Plan since it will not take any land out of production but will provide a destination to be enjoyed while perpetuating and promoting the production and an additional venue for the processing and sale of farm products produced on the petitioners’ property.

Findings of Fact Sheet – Special Use

Kuipers Special Use
Special Use Request

May 11, 2018
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:*
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.
The Special Use (F2) to operate the cidery and wedding venue is proposed on a 9.9-acre parcel that is more than 1600 feet away from the nearest neighbor's residence. The proposed use will complement existing permitted uses on the petitioners' adjacent property. Adequate parking will be provided together with driveways that will utilize existing curb cuts, or will be relocated to improve sight distance, onto Watson Road. Individual water well and waste water treatment systems will be constructed on the subject property. Storm water management is achieved by extension and modification of drainage swales to detention areas that are in place on adjacent property owned by the petitioners. The design of the proposed building minimizes the propagation of ambient sound and light toward existing residential uses. The hours of operation, head count of personnel and anticipated guests is noted in the attached stipulation. The popularity of the existing rural-themed store and children's entertainment destination has steadily increased and, together with the apple production from the petitioners' orchards, making the proposed use compatible to the area and should have no detrimental effect on surrounding properties.
 7. Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity.
The proposed use will take place within 1300 feet of other public-accessed facilities operated by the petitioners, as described in the attached stipulation, and will not prevent anyone in the vicinity of the subject property from the full enjoyment and use of their property. Such proposed activities will have no deleterious effect on surrounding properties.
 8. Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property.
The presence of the proposed use is not related to the development of any adjoining properties. Surrounding properties will remain completely free to develop pursuant to prevailing land use regulations.
 9. Will adequate utility, access roads, drainage and other necessary facilities be provided? Please explain:
Yes; all required infrastructure will be provided on property owned by the petitioners to accommodate the proposed use.
 10. Will adequate measures be provided for ingress and egress and so designed to minimize the traffic and congestion? Please explain:
Yes, as stated in #1 above.
 11. Will the special use conform to the regulations of the district in which it is located? Please explain:
Yes. The success of the proposed use depends on an agriculture theme being promoted

February 21, 2019

East Watson, LLC (*Wade Kuiper's, et ux*)
Rezoning on the northern portion from F to F-2 for a Cidery, bakery and events venue

Special Information: The petitioner is requesting a rezoning for a portion of property north of the existing pumpkin farm facility located at 0N145 Watson Road. The petitioner is requesting an F-2 for a cidery, bakery and a venue for social events, such as weddings.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Agricultural. The Plan states that the Agricultural use category also provides for agribusinesses, farm support services, and other related uses that are dependent upon, or closely allied to, modern agricultural practices. Kane County recognizes that prime farmland can be best utilized as agricultural land when supported by a full range of agribusiness and farm services in the immediate area. In 2013, The Kane County Board adopted the "Growing for Kane" Program, which supports and encourages local food propagation, consumption, and the production of value added products, such as cider.

Staff recommended Findings of Fact:

1. The rezoning, if approved, would allow a new facility for the production of cider and baked goods and an additional event venue north of the existing agricultural businesses uses already established by Kuiper's Family Farm. The proposed rezoning is consistent with the purpose and uses for the F-2 District – agricultural related Special Uses and other F-2 zoned uses in the County.

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

Exhibit D



Map Title



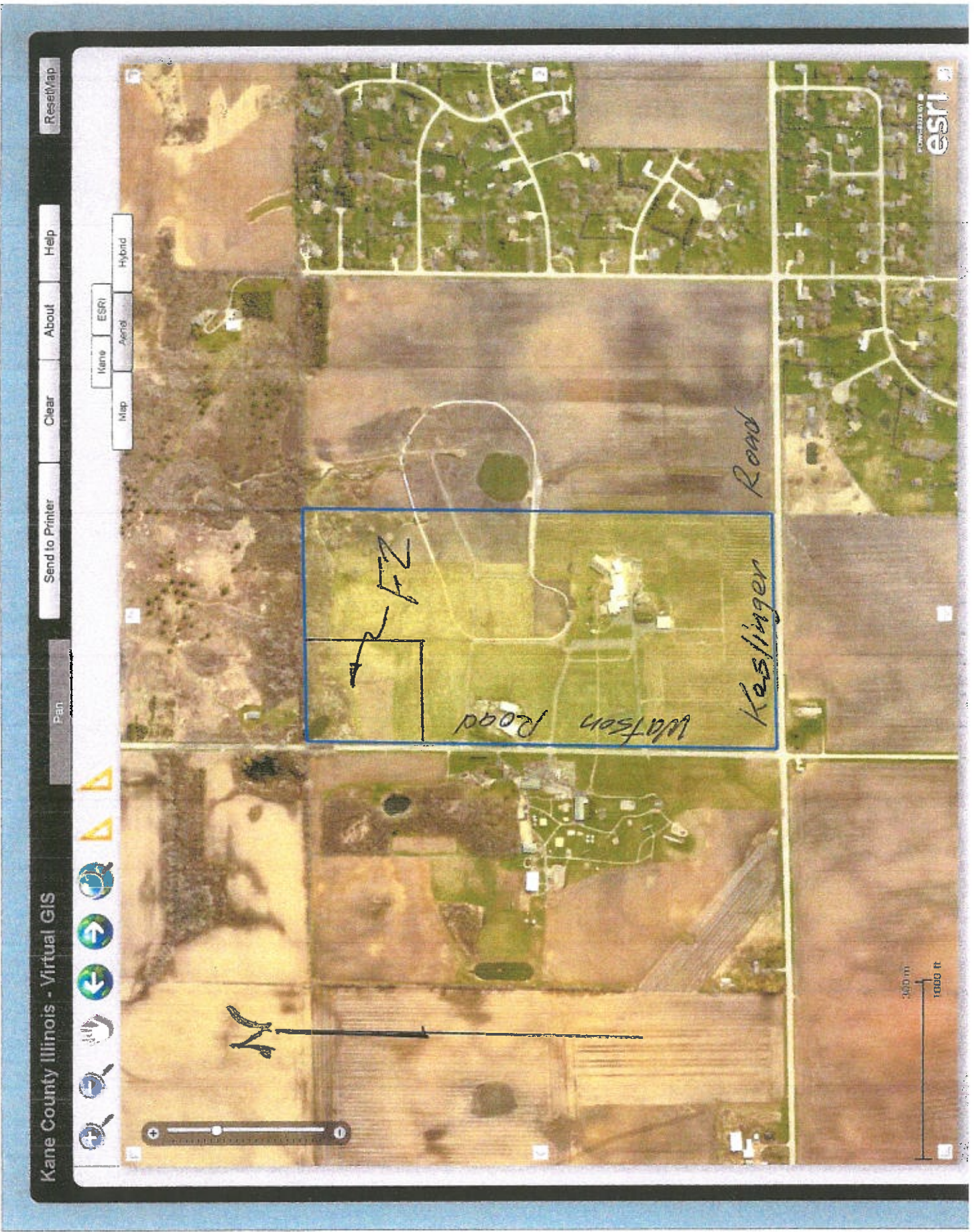
February 21, 2019

GIS-Technologies

These layers do not represent a survey. No Accuracy is assumed for the data delineated herein, either expressed or implied by Kane County or its employees. These layers are compiled from official

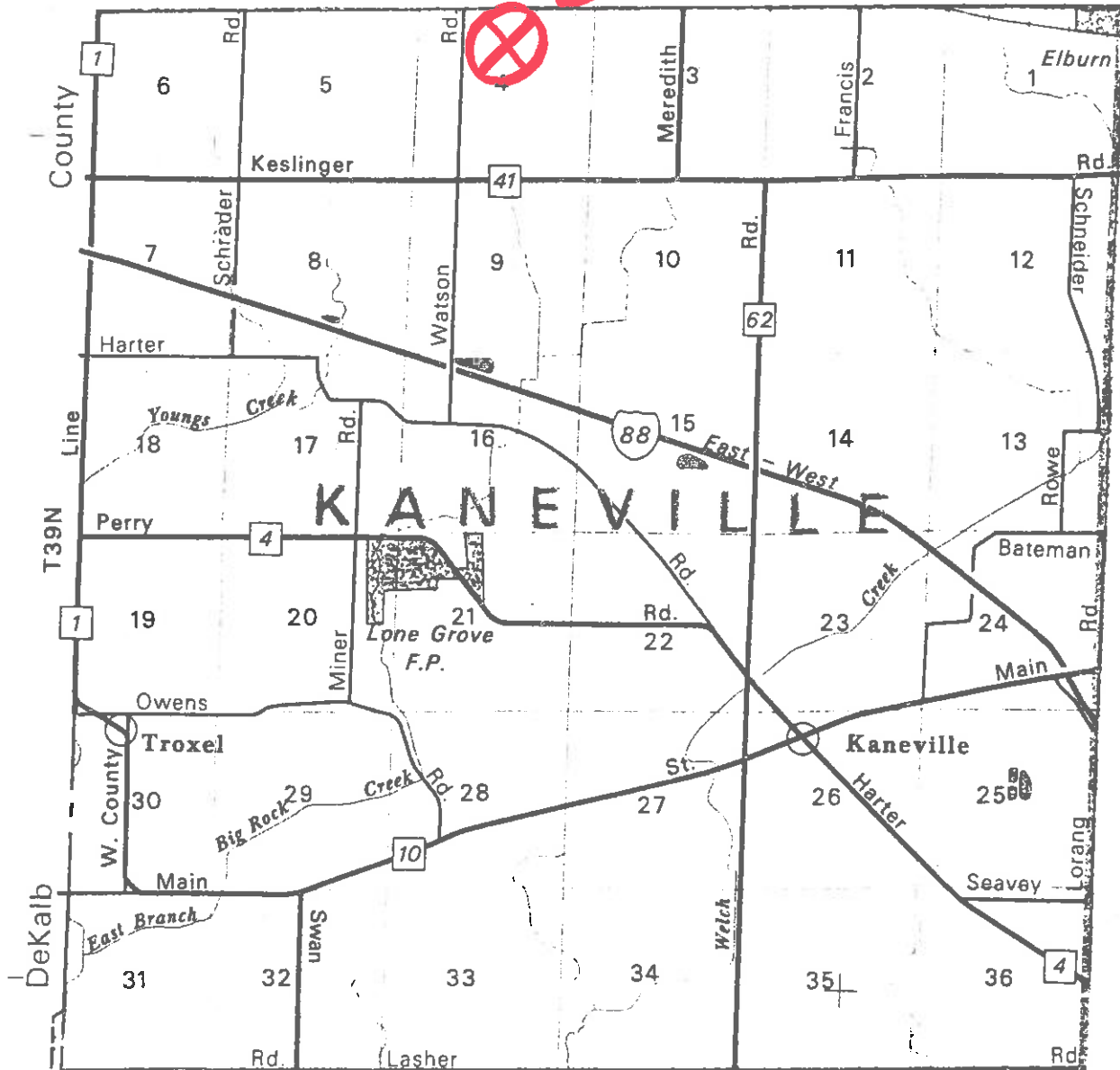
GIS-Technologies

Exhibit D



KANEVILLE TWP.
T.39N - R.6E

map 10



1" = MILE

Applicant: Development Properties, Inc.
Contact: John Thornhill
Address: 44 White Oak Circle
St. Charles, IL 60174

IDNR Project Number: 1806019
Date: 01/12/2018
Alternate Number: 06-005

Project: Kuypers Rezoning
Address: Shade Tree Lane, Maple Park, IL

Description: Rezoning of small wooded area to accommodate 3 single-family residences.

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

Consultation is terminated. This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary. Termination does not imply IDNR's authorization or endorsement.

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Kane

Township, Range, Section:
39N, 6E, 4



IL Department of Natural Resources
Contact
Natalia Jones
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Kane County Development Department
Keith Berkhout
719 Batavia Avenue
Geneva, Illinois 60134

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

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Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.

Farruggia, Tony

From: Rauscher, Erin
Sent: Friday, January 11, 2019 3:11 PM
To: Farruggia, Tony
Subject: RE: Petition 4450 & 4451

Follow Up Flag: Follow up
Flag Status: Flagged

Tony,

Petitions 4450 and 4451, no comments/objections from the health department.



Erin Rauscher
Environmental Health Supervisor
Kane County Health Department
1750 Grandstand Place
Elgin, IL 60123

Phone: 847-888-6450
www.kanehealth.com

From: Farruggia, Tony
Sent: Friday, January 11, 2019 1:28 PM
To: Rauscher, Erin <RauscherErin@co.kane.il.us>
Subject: Petition 4450 & 4451

Please see the attached variance petition and provide comments.

Regards,

Tony Farruggia, AICP Candidate
Zoning Planner
FarruggiaTony@Co.Kane.IL.US
630.232.3494

Farruggia, Tony

From: McGraw, Keith
Sent: Wednesday, January 16, 2019 1:51 PM
To: Farruggia, Tony
Cc: Nika, Kurt; Rickert, Tom
Subject: RE: Petitions 4450 & 4451
Attachments: 2019-01-11 zoning map ammendment application.pdf; 2019-01-11 special use application.pdf

Tony

In regard to the above referenced and attached two (2) requests at Kuipers Farm, KDOT has no comment or suggestions.

If you need anything further, please don't hesitate to reach out.

Keith McGraw
KDOT - Permitting

From: Farruggia, Tony
Sent: Friday, January 11, 2019 1:29 PM
To: McGraw, Keith <McGrawKeith@co.kane.il.us>
Subject: Petitions 4450 & 4451

Please see the attached variance petitions and provide comments.

Regards,

Tony Farruggia, AICP Candidate
Zoning Planner
FarruggiaTony@Co.Kane.IL.US
630.232.3494

County of Kane, Illinois
Development & Community Services Department