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

Received Date
AUG 07 2019
Kane Co. Dev. Dept.
Zoning Division

**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): 11-06-300-026 11-06-300-027 11-06-300-022
	Street Address (or common location if no address is assigned): 44W670 Keslinger Rd. Elburn IL 60119

2. Applicant Information:	Name Cynthia J. VARGAS	Phone 773-896-6072
	Address 44W670 Keslinger Rd. ELBURN IL 60119	Fax /
/ /	/ / /	Email altg.3cjr@yahoo.com

3. Owner of record information:	Name Cynthia J. VARGAS	Phone 773-896.6072
	Address 44 W 670 Keslinger Rd ELBURN IL 60119	Fax /
/ /	/ / /	Email altg.3cjr@yahoo.com

Zoning and Use Information:

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

Current zoning of the property: F1 District – Rural Residential

Current use of the property: One-Family dwelling on farmland

Proposed zoning of the property: Per the County's direction E1 District - Estate

Proposed use of the property: The proposed use will remain the same (one- family dwelling on the corresponding farmland)

** Also requesting a 3' Right of Way Setback variance to allow an attached garage to be constructed closer to the row*

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

- a. Garage Addition to ptimize the quality of life within the existing one- family dwelling
- b. Replace roof Secure the existing building's infrastructure with a new roof and resurfaced the cement slab
- c. Maximize the utility & maintenance of the farm land with a barn (1,800sq ft.) and driveway for the storage of farming equipment, horses, chickens, alpacas (as per F1/E1 zoning ordinances).

Attachment Checklist

- Plat of Survey prepared by an Illinois Registered Land Surveyor.
- Legal Description
- Completed Land Use Opinion (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 <http://dnr.illinois.gov/ecopublic/>) to be filed with the Illinois Department of Natural Resources.
(*This report may best be accessed with Internet Explorer on some computers, per the State)
- List of record owners of all property within 250 feet of subject property
- N/A* 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.

Scott Hargis _____ 8/7/19
Record Owner Date

N/A _____
Applicant or Authorized Agent Date

Finding 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.

Cynthia J. Vargas

8/6/19

Name of Development/Applicant

Date

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

The general area of the property in question consists of one- family homes on different size parcels of farm land to the Southwest and some commercial property to the Northeast.

The existing use of the property consists of one- family dwelling on the corresponding farmland (5acres) as part of F1 District – Rural Residential.

APPENDIX B-ZONING

8.2-4 Lot Size

Every one-family detached dwelling hereafter erected shall be located on a tract of land having an area of not less than one **(1) acre/nor more than forty (40)acres.**

The proposed use will remain the same (one- family dwelling on the corresponding farmland) but the changes desired will):

- a. Optimize the quality of life within the existing one- family dwelling with a garage addition
- b. Secure the existing building’s infrastructure with a new roof and resurfaced the cement slab
- c. Maximize the utility & maintenance of the farm land with a barn (1,800sq ft.) and driveway for the storage of farming equipment, horses, chickens, alpacas (as per F1/EI zoning ordinances).

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

The general area of the property in question consists of single family homes on different size parcels of farm land to the Southwest (F, F1, F2) and some business properties to the Northeast (B, B1, B2, B3).

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

The property in question is well suited for the current designation of F1- District Rural Residential.

It retains the original one- family dwelling on more than one (1) acre but less than 40 acres and the use of the property will **not** change with the garage addition, roof and cement slab repair, new barn and driveway.

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

There is no significant development trend noted in the general area of the property. However, there is a significant development of residential homes in the neighboring communities of Elburn and Blackberry.

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

The projected use of the property, align with the Countryside Estate Residential (EI District – Estate) strategy included in the Kane County 2040 Land Use Plan.

Since, the property is characterized by a rolling meadow, small creek, woodlands and native vegetation. Plus, will continue to be used for small scale agricultural and equestrian activities in alignment with the surrounding properties.

September 26, 2019

Cynthia Vargas
Rezoning from F-District Farming to E-1 District Estate Residential

Special Information: The property was reduced in size by a roadway taking in 2009. The petitioner has recently acquired a portion of property from the eastern neighbor and is requesting a rezoning to bring the entire property back into conformance with the Zoning Ordinance. There is a residence on the property on which the petitioner is also requesting a right-of-way setback variance to allow a new, attached garage to be constructed to allow for remodeling of the home.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as a Resource Management Area. Under the 2040 Plan, Resource Management is a land use category that provides county growth opportunities while emphasizing wise management of land and water resources. The purpose of Resource Management is to provide opportunities for the implementation of Smart Growth development that respects the character and carrying capacity of the land.

Staff recommended Findings of Fact:

1. The rezoning will not intensify the existing residential use.

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

PLAT OF SURVEY D.F.L.S.

DALE FLOYD LAND SURVEYING L.L.C.
2600 KESLINGER ROAD SUITE A
GENEVA, ILLINOIS 60134
PHONE: 630-232-7705 FAX: 630-232-7725
E-MAIL: DFLS@SBCGLOBAL.NET

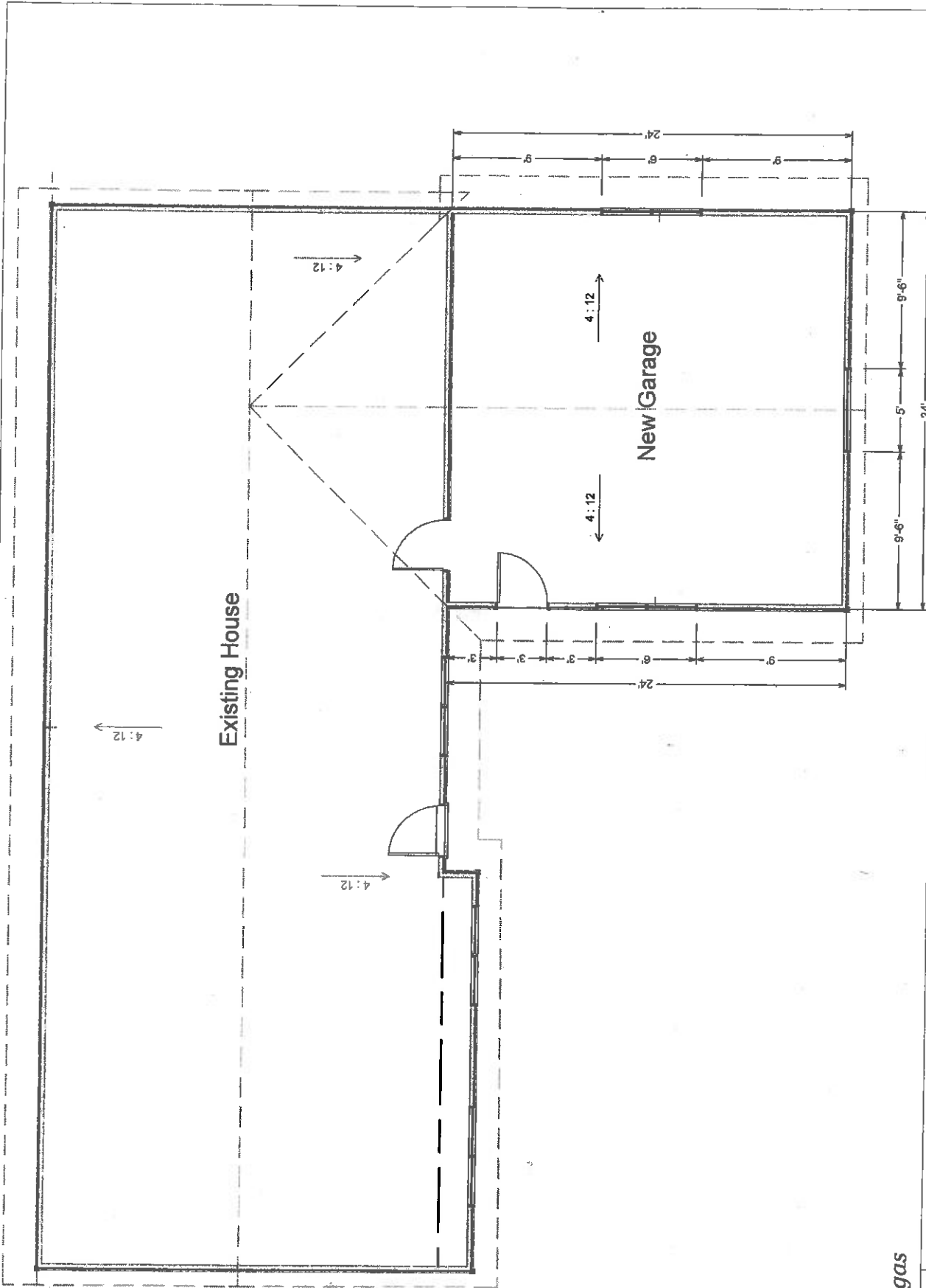
THAT PART OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST FRACTIONAL QUARTER; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID QUARTER 214.50 FEET FOR A POINT OF BEGINNING; THENCE EASTERLY ALONG SAID SOUTH LINE 569.13 FEET TO A POINT THAT IS 371.44 FEET WESTERLY OF THE SOUTHWEST CORNER OF UNIT 2, THRYSELIUS SUBDIVISION, VILLAGE OF ELBURN, KANE COUNTY, ILLINOIS; THENCE NORTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 141.68 FEET; THENCE WESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 19.52 FEET; THENCE NORTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 133.72 FEET; THENCE WESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 482.24 FEET TO A LINE DRAWN FROM THE POINT OF BEGINNING TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF SAID FRACTIONAL QUARTER THAT IS 511.50 FEET (31 RODS) EASTERLY OF THE NORTHWEST CORNER OF SAID SOUTH HALF; THENCE SOUTHWESTERLY ALONG SAID LINE 283.52 FEET TO THE POINT OF BEGINNING, IN BLACKBERRY TOWNSHIP, KANE COUNTY, ILLINOIS. EXCEPT THAT PART DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST FRACTIONAL QUARTER; THENCE ON AN ASSUMED BEARING OF NORTH 89 DEGREES 52 MINUTES 19 SECONDS EAST ALONG THE SOUTH LINE OF SAID QUARTER, 214.47 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 13 DEGREES 37 MINUTES 55 SECONDS EAST, 101.68 FEET; THENCE SOUTH 75 DEGREES 57 MINUTES 31 SECONDS EAST, 185.67 FEET TO A LINE PARALLEL WITH AND 40.00 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES TO THE CENTERLINE OF KESLINGER ROAD PER DOCUMENT NUMBER 586079; THENCE SOUTH 89 DEGREES 49 MINUTES 49 SECONDS EAST ALONG SAID PARALLEL LINE, 208.41 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 11 SECONDS WEST, 57.12 FEET TO THE SOUTH LINE OF SAID SOUTHWEST FRACTIONAL QUARTER; THENCE SOUTH 89 DEGREES 52 MINUTES 19 SECONDS WEST ALONG SAID LINE, 392.93 FEET TO THE POINT OF BEGINNING, IN KANE COUNTY ILLINOIS.

ALSO THAT PART DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST FRACTIONAL QUARTER; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID QUARTER 561.26 FEET TO A POINT THAT IS 86.0 FEET WESTERLY OF THE SOUTHWEST CORNER OF UNIT 2, THRYSELIUS SUBDIVISION, VILLAGE OF ELBURN, KANE COUNTY, ILLINOIS FOR A POINT OF BEGINNING; THENCE CONTINUING WESTERLY ALONG SAID SOUTH LINE 305.44 FEET; THENCE NORTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 141.68 FEET; THENCE WESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 19.52 FEET; THENCE NORTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 133.72 FEET FOR THE POINT OF BEGINNING; THENCE WESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 482.24 FEET TO A LINE DRAWN FROM A POINT ON SAID SOUTH LINE THAT IS 214.50 FEET (13 RODS) EASTERLY OF THE SOUTHWEST CORNER OF SAID FRACTIONAL QUARTER TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF SAID FRACTIONAL QUARTER THAT IS 511.50 FEET (31 RODS) EASTERLY OF THE NORTHWEST CORNER OF SAID SOUTH HALF; THENCE NORTHEASTERLY ALONG SAID LINE FORMING AN ANGLE OF 76 DEGREES 15 MINUTES 12 SECONDS WITH THE LAST DESCRIBED COURSE (MEASURED COUNTER-CLOCKWISE THEREFROM) 164.72 FEET TO A LINE DRAWN PARALLEL WITH AND 435.40 FEET NORTHERLY OF SAID SOUTH LINE (MEASURED AT RIGHT ANGLES THERETO); THENCE EASTERLY ALONG SAID PARALLEL LINE 652.58 FEET; THENCE SOUTHERLY AT RIGHT ANGLES TO THE LAST COURSE 159.60 FEET; THENCE WESTERLY 209.53 FEET TO THE POINT OF BEGINNING.

COMMONLY KNOWN AS: 44W670 KESLINGER ROAD, ELBURN, ILLINOIS.

N 89°51'29" E 652.58' MEA





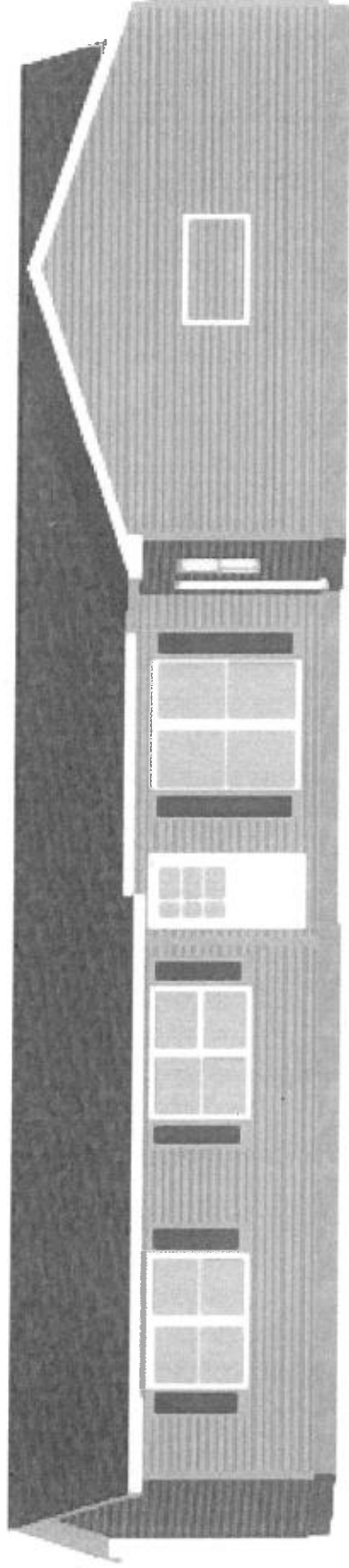
700 mill st
 arthur IL 61911
 Phone-217-543-3761
 FAX-217-543-3350

Coach House Garages
 MORE THAN JUST A GARAGE...IT'S A COACH HOUSE

Scale: 1/8"=1'
 Date: 4/18/2019
 Drawing By:
 Coach House Garages

Sheet #
1

Cindy Vargas



Cindy Vargas

*Note Colors May Vary

Sheet #

6

Scale: No Scale

Date: 4/18/2019

Drawing By:

Coach House Garages



700 mill st

arthur IL 61911

Phone-217-543-3761

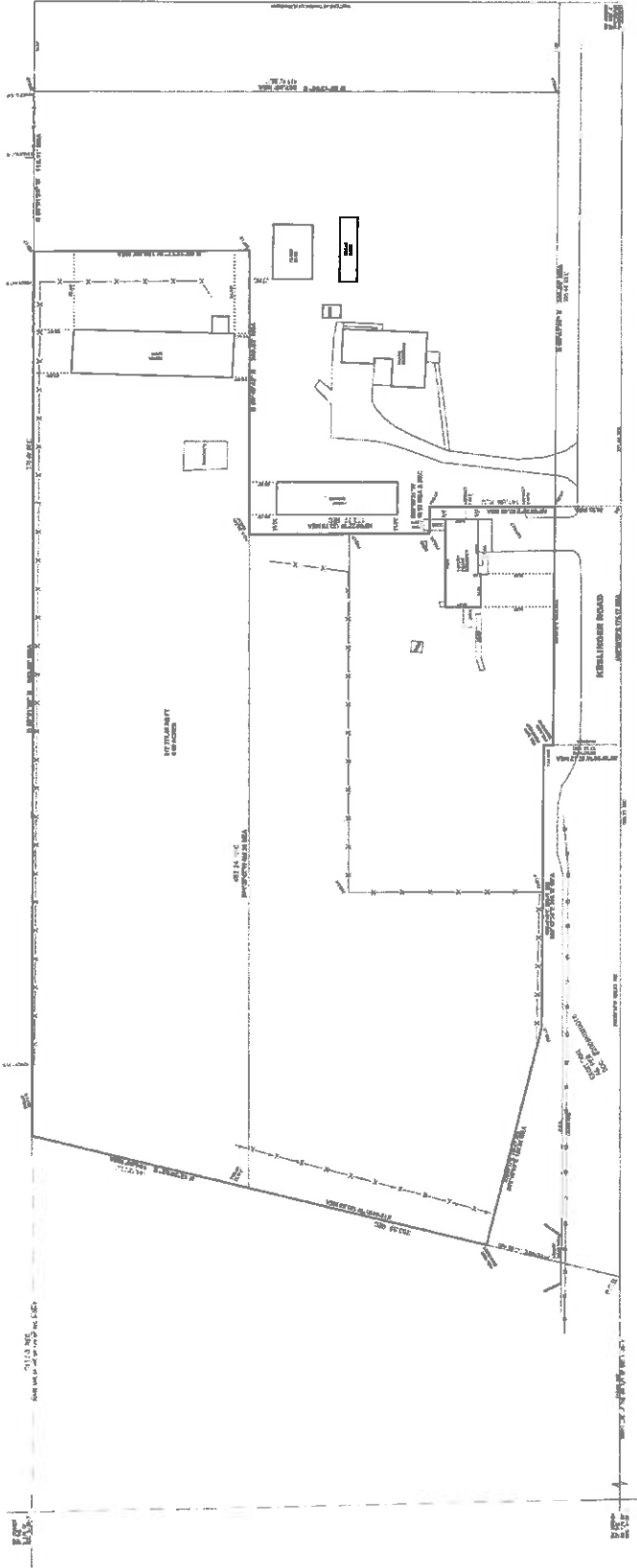
FAX-217-543-3350



**PLAT OF SURVEY
OF LAND**

PLAT OF LAND
 BY
 JOHN D. BROWN, JR.
 SURVEYOR

THIS SURVEY WAS MADE IN ACCORDANCE WITH THE PROVISIONS OF THE ACT OF MARCH 3, 1879, CHAP. 25, SEC. 1, AND THE ACT OF MAY 10, 1890, CHAP. 18, SEC. 1, AS AMENDED BY THE ACT OF MARCH 3, 1909, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1911, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1913, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1915, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1917, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1919, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1921, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1923, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1925, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1927, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1929, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1931, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1933, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1935, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1937, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1939, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1941, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1943, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1945, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1947, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1949, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1951, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1953, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1955, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1957, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1959, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1961, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1963, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1965, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1967, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1969, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1971, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1973, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1975, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1977, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1979, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1981, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1983, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1985, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1987, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1989, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1991, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1993, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1995, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1997, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 1999, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 2001, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 2003, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 2005, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 2007, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 2009, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 2011, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 2013, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 2015, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 2017, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 2019, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 2021, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 2023, CHAP. 25, SEC. 1, AND THE ACT OF MARCH 3, 2025, CHAP. 25, SEC. 1.



PLAT OF LAND
 BY
 JOHN D. BROWN, JR.
 SURVEYOR

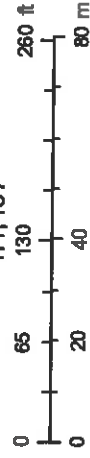
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 BY
 JOHN D. BROWN, JR.
 SURVEYOR

Map Title



August 22, 2019

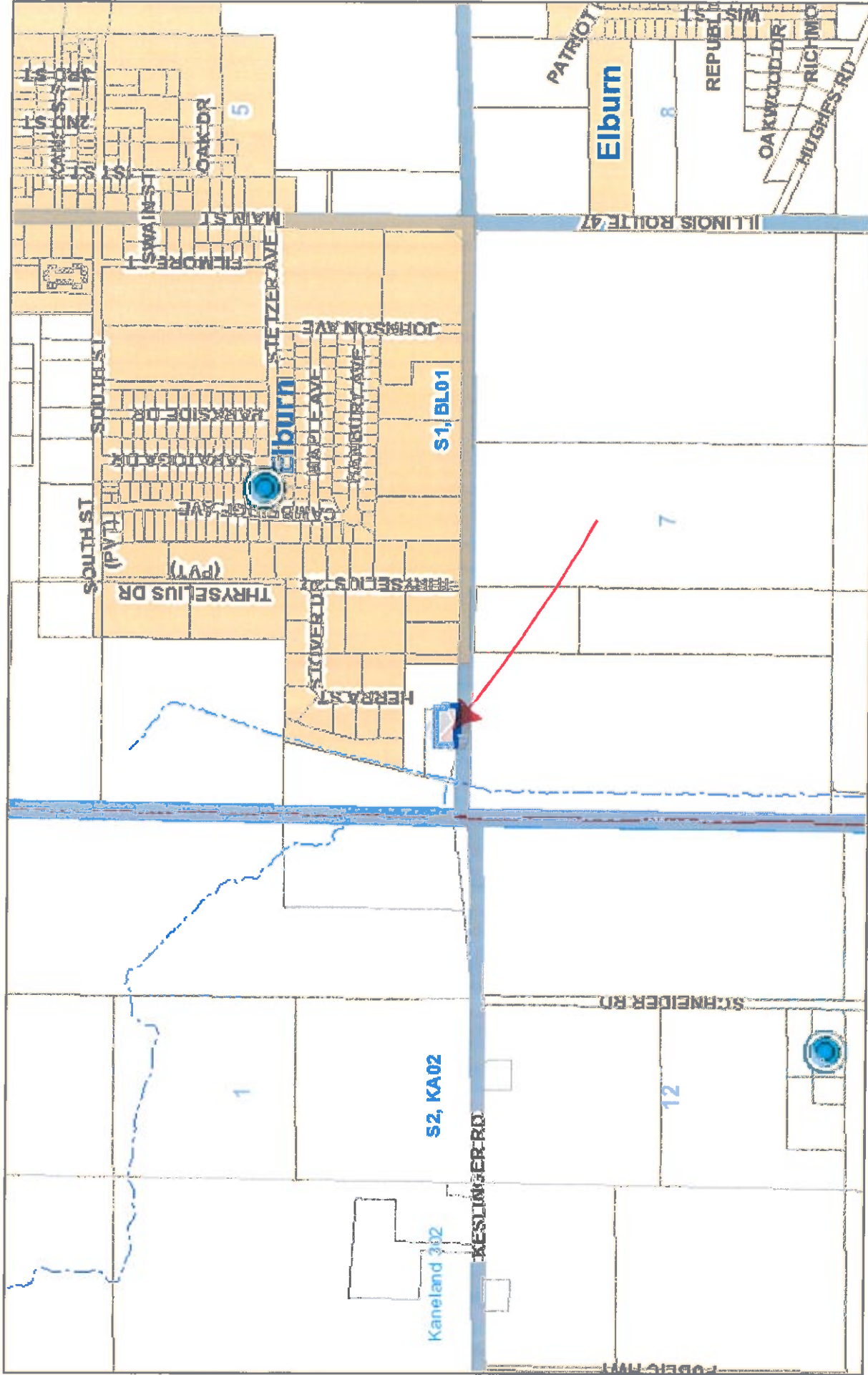
1:1,487



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 records, including plats, surveys, recorded deeds, and contracts, and only contains information required for local government purposes. See the recorded documents for more detailed legal information.

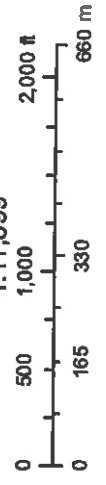
GIS-Technologies
Kane County Illinois

Map Title



August 22, 2019

1:11,899



GIS-Technologies

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GIS-Technologies
Kane County Illinois

Kane – DuPage Soil & Water Conservation District



September 6, 2019

Kane County Development Department
Keith Berkhout
719 S. Batavia Avenue
Geneva, IL 60134

We have assigned number 19-073 to a Land Use Opinion Applications from:

Cynthia Vargas
44N670 Keslinger Road
Elburn, IL 60119

The site location is:

Blackberry Township
Section 6, Township 39N, Range 7E

The application was sent to us in compliance with Section 22.02a of the Illinois Soil and Water
Conservations Districts Act.

_____ Our review and comments will be sent on or before _____.

X According to the information received, a full Land Use Opinion report is not required at this
time. Therefore, no further action will be taken by the Soil and Water Conservation District Board.

Sincerely,

Susan Rankin
Office Assistant

Berkhout, Keith

From: McGraw, Keith
Sent: Tuesday, September 17, 2019 9:03 AM
To: Berkhout, Keith; Rickert, Tom
Cc: Nika, Kurt
Subject: RE: Zoning petition for review - From Kane County - Vargas
Attachments: 2019-09-12 variance request.pdf

Keith,

In regard to the attached variance request, KDOT offers the following:

- The proposed structure should be placed where it does not impede the ultimate proposed 60 foot half right of way for Keslinger Road. This will avoid future complications, should right of way be required.

If you need anything else, please don't hesitate to ask.

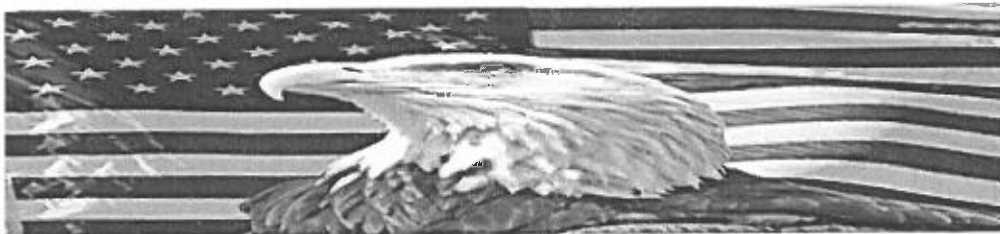
Thank you,

Keith McGraw
Kane County Division of Transportation – Permitting Section

From: Berkhout, Keith <BerkhoutKeith@co.kane.il.us>
Sent: Thursday, September 12, 2019 3:04 PM
To: Schoedel, Carl <schoedelcarl@co.kane.il.us>
Cc: Nika, Kurt <nikakurt@co.kane.il.us>; McGraw, Keith <McGrawKeith@co.kane.il.us>
Subject: Zoning petition for review - From Kane County - Vargas

Keith T. Berkhout
Zoning Planner

Kane County Department of Development and Community Services
719 S. Batavia Avenue
Geneva, Illinois 60134
630-232-3495
berkhoutkeith@co.kane.il.us



Village President

Jeffrey D. Walter

Trustees

Kenneth A. Anderson Jr.

Susan Filek

William Grabarek

Chris Mondri

Patricia Schuberg

Matthew Wilson



VILLAGE OF ELBURN
301 E. NORTH ST.
ELBURN, ILLINOIS 60119
630.365.5060
www.elburn.il.us

Village Administrator

John Nevenhoven

Chief of Police

Nick Sikora

Public Works Superintendent

Phil Van Bogaert

Finance Director

Doug Elder

Building Commissioner

Tom Brennan

September 18, 2019

Keith Berkhout
Kane County Development Department
ATTN: Zoning
719 S. Batavia Avenue

Via email: berkhout@co.kane.il.us

Re: 44W670 Keslinger Road (Vargas)


Dear Mr. Berkhout,

In your letter dated September 17, 2019, you requested comments for the Village of Elburn concerning a proposed zoning map amendment for 44W470 Keslinger Road. The Village Board had the following request:

- The Village of Elburn requests a 10 foot utility easement outside, but adjacent to the current County road right of way.

Please let me know if you have any questions or need additional information.

Sincerely,


John Nevenhoven
Village Administrator
Village of Elburn

Berkhout, Keith

From: Julie-Ann Fuchs <10161@kaneland.org>
Sent: Monday, September 16, 2019 12:42 PM
To: Berkhout, Keith
Subject: EX: Re: Zoning petition for review - From Kane County - Vargas

Kaneland has no concerns with this request. Thank you!

On Thu, Sep 12, 2019 at 3:13 PM Berkhout, Keith <BerkhoutKeith@co.kane.il.us> wrote:

Keith T. Berkhout

Zoning Planner

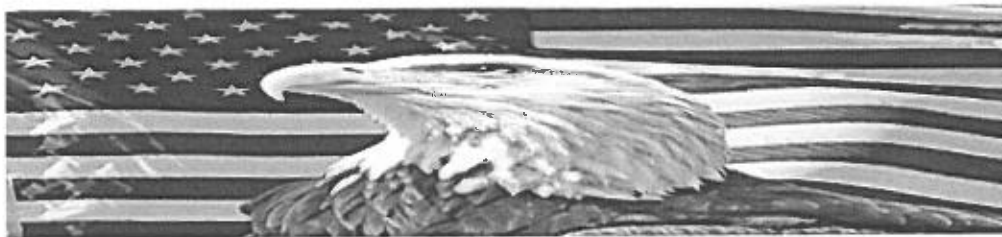
Kane County Department of Development and Community Services

719 S. Batavia Avenue

Geneva, Illinois 60134

630-232-3495

berkhoutkeith@co.kane.il.us



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