

**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

**4530**

<p><i>Received Date</i></p> <p><b>OCT 17 2019</b></p> <p>Kane Co. Dev. Dept. Zoning Division</p>
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**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.**

<b>1. Property Information:</b>	<p><b>Parcel Number (s):</b>                  A portion of:                  04-09-400-029</p>
	<p><b>Street Address (or common location if no address is assigned):</b>                  12N105 Waughon Road, Burlington, IL 60140</p>

<b>2. Applicant Information:</b>	<p><b>Name</b> Kathleen J. Rendl, Trustee                  of Robert J. Brunette Irrevoc. Trust                  dated 07/23/18</p>	<p><b>Phone</b>                  847-428-1111</p>
	<p><b>Address</b>                  18N460 Powers Road</p>	<p><b>Fax</b></p>
	<p>Huntley, IL 60142</p>	<p><b>Email</b>                  kathleenrendl@att.net</p>

<b>3. Owner of record information:</b>	<p><b>Name</b> Kathleen J. Rendl, Trustee                  Robert J. Brunette Irrevoc. Trust                  dated 07/23/18</p>	<p><b>Phone</b>                  847-428-1111</p>
	<p><b>Address</b>                  18N460 Powers Road</p>	<p><b>Fax</b></p>
	<p>Huntley, IL 60142</p>	<p><b>Email</b>                  kathleenrendl@att.net</p>

**Zoning and Use Information:**

2040 Plan Land Use Designation of the property: Agriculture

Current zoning of the property: F

Current use of the property: Residential and ancillary farming uses thereto

Proposed zoning of the property: F-1

Proposed use of the property: Residential and ancillary farming uses thereto

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

None

**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](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 <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 the 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.

Robert J. Brunette Irrevocable Trust dated 07/23/18

Kathleen J. Rendl  
Record Owner Kathleen J. Rendl, Trustee

10-11-19  
Date

Applicant or Authorized Agent

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.*

Robert J. Brunette Irrevocable Trust dated

Name of Development/Applicant

07/23/18

Date

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

Proposed use is same as current use. Property to east, north and west is farmland zoned F. Property to southwest is residence zoned F-1. Property to south is a farmstead and buildings zoned F.

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

Property to north, south, east and directly west is zoned F. Property to southwest is zoned F-1.

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

Property is currently farmed with existing residence which is permitted under the current zoning F zoning classification, however, current zoning would not permit parcel subject to this application to be sold separately from the larger agriculturally zoned tract being a total of 49 acres.

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

Property to north is undeveloped farmland. Property to west is farmland. Property to the east is farmland. Property to the south and to the southwest is rural residential, which will be consistent with the continued use of the property subject to this application.

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

2040 Land Use Plan designates the property as agricultural. Projected use is consistent with the current use of the land and which is compatible with the 2040 Land Use Plan in that the existing low density rural residential nature of such five acre parcel will continue the liveable, sustainable and healthy use of such land.

November 19, 2019

Robert Brunette Trust

Rezoning from F-District Farming to F-1 District Rural Residential

**Special Information:** The entire property is comprised of almost 50 acres. It contains an existing residence on the southwest portion of the property with the remaining balance being mostly in agricultural production. The rezoning would allow the existing home to be split off and sold separately from the remaining farmland.

**Analysis:** The Kane County 2040 Land Resource Management Plan designates most of this property (the portion of the property which is the subject of this petition) 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. The northeast portion of this property is generally in the Rural Residential designation. This designation encourages an infill strategy between and adjacent to existing rural residential developments where prime agricultural lands will not be taken out of production.

**Staff recommended Findings of Fact:**

1. The rezoning will be intensify the existing residential use.
2. The rezoning will allow the home to be sold separately from the remaining farmland.

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

LEGAL DESCRIPTION

**OF PROPERTY DESCRIBED AS FOLLOWS:**

That part of the Southwest Quarter of the Southeast Quarter Section 9, Township 41 North, Range 6 East of the Third Principal Meridian, bounded and described as follows:

Commencing at the Southwest corner of said Southeast Quarter; thence North 0 degrees 48 minutes 33 seconds West along the West line of said quarter quarter, 327.0 feet for the Point of Beginning; thence continuing North 0 degrees 48 minutes 33 seconds West along said West line, 315.0 feet; thence North 88 degrees 23 minutes 53 seconds East and parallel with the South line of said Southeast Quarter, 712.92 feet; South 0 degrees 04 minutes 07 seconds West, 315.10 feet; thence South 88 degrees 23 minutes 53 seconds West and parallel with the South line of said Southeast Quarter, 708.09 feet to the Point of Beginning, in Burlington Township, Kane County, Illinois.

S 00°04'07" W 315.10'

SET IRON PIPE  
PIPE

SET IRON PIPE  
PIPE

AREA OF PROPERTY:

5.0000 ACRES (2217,802 SQ FT) NET  
0.1375 ACRE (5,986 SQ FT) IN ROAD  
5.1375 ACRES (223,788 SQ FT) GROSS

N 88°23'53" E 712.92'

S 88°23'53" W 708.09'

SET IRON PIPE 33.0'  
EAST OF CENTERLINE

21.42'

46.48'

BLACKTOP

1. STORY FRAME  
RESIDENCE



44.88'

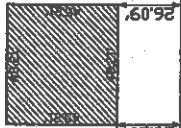
47.69'

137.55'

26.29'

26.09'

POLE BARN



FENCE IS 1.9' SOUTH

SET IRON PIPE 33.0'  
EAST OF CENTERLINE

ROAD

WAUGHAN

00'

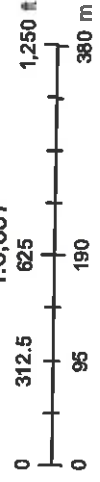


# Map Title



October 31, 2019

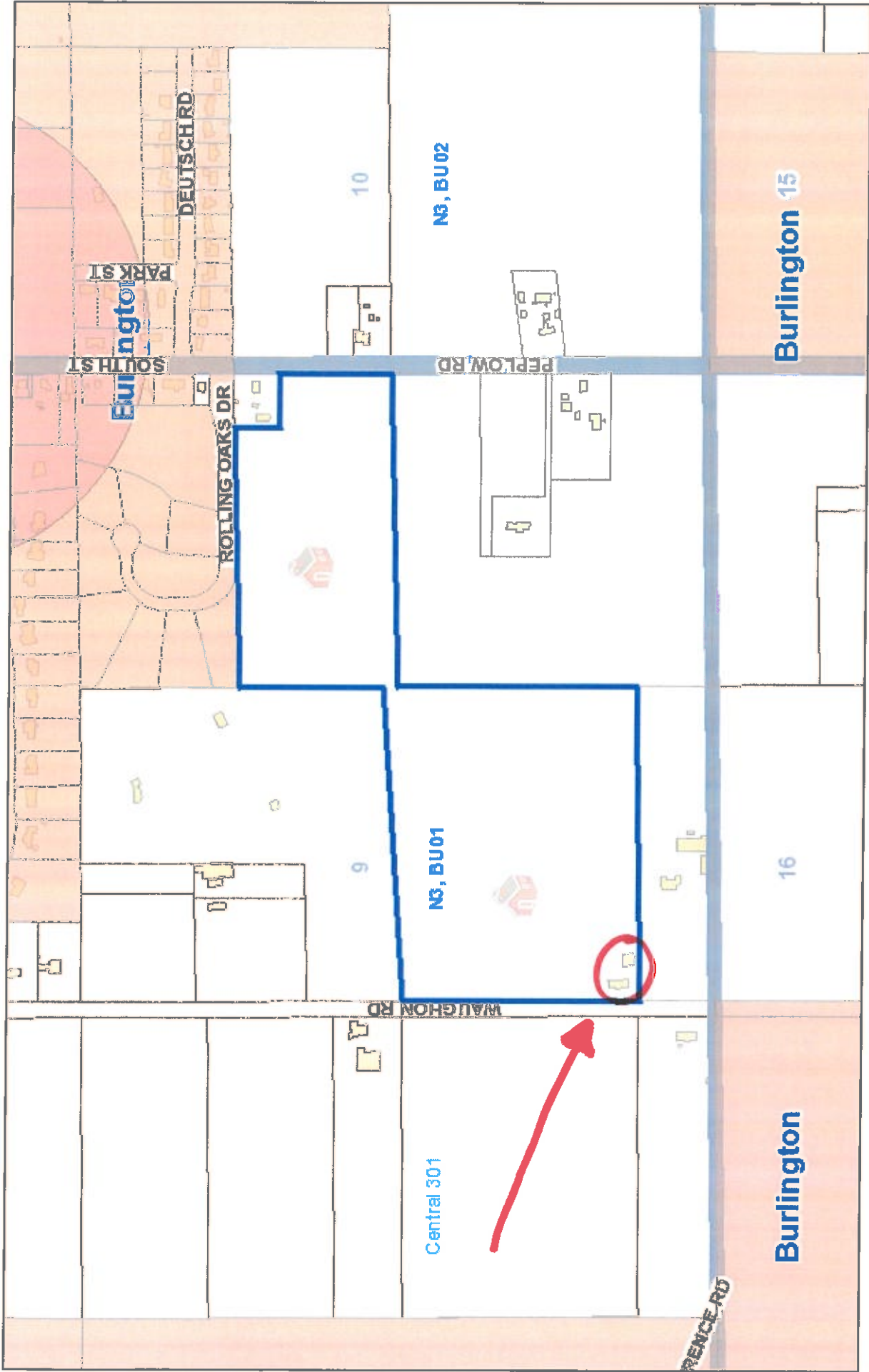
1:6,857



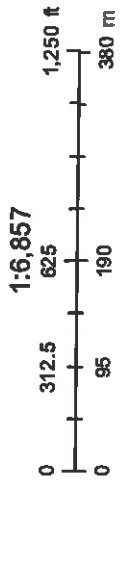
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GIS Technologies  
Kane County Illinois

# Map Title



October 31, 2019



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GIS-Technologies  
Kane County Illinois



**Applicant:** ROBERT J. BRUNETTE IRREVOCABLE TRUST (property owner) **IDNR Project Number:** 2002912  
**Contact:** KATHLEEN J RENDL **Date:** 09/17/2019  
**Address:** 18N460 POWERS ROAD  
HUNTLEY, IL 60142  
**Project:** NONE - EXISTING RESIDENCE  
**Address:** 12N105 WAUGHON ROAD , BURLINGTON

**Description:** REZONING OF EXISTING RESIDENCE FROM FARMING TO F-1

### Natural Resource Review Results

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

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Swainson's Hawk (*Buteo swainsoni*)

**An IDNR staff member will evaluate this information and contact you to request additional information or to terminate consultation if adverse effects are unlikely.**

#### Location

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

**County:** Kane

**Township, Range, Section:**  
41N, 6E, 9



**IL Department of Natural Resources  
Contact**  
Adam Rawe  
217-785-5500  
Division of Ecosystems & Environment

**Government Jurisdiction**  
Kane County Development Department -  
Zoning Div.  
Mark VanKerkhoff, Director  
719 S. 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.

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