

**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

4583

*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.**

<b>1. Property Information:</b>	<b>Parcel Number (s):</b> 14-05-300-030 14-05-300-025 14-05-100-002
	<b>Street Address (or common location if no address is assigned):</b> Harter Road just west of old school lot (unsubdivided)

<b>2. Applicant Information:</b>	<b>Name</b> Mr. Dan Leuer	<b>Phone</b> (630) 768 4244
	<b>Address</b> 4S787 Harter Road Sugar Grove, IL 60554	<b>Fax</b> (866) 465 7192
		<b>Email</b> dan.leuer@gmail.com

<b>3. Owner of record information:</b>	<b>Name</b> Leuer Brothers Trust # 295	<b>Phone</b> (630) 906 5467
	<b>Address</b> Old Second National Bank 37 River St., Aurora, IL 60506	<b>Fax</b>
		<b>Email</b> egorenz@oldsecond.com

**Zoning and Use Information:**

2040 Plan Land Use Designation of the property: Open space / rural residential

Current zoning of the property: F

Current use of the property: Vacant (one family home next door on old school lot)

Proposed zoning of the property: F-1

Proposed use of the property: One family residence

If the proposed Map Amendment is approved, what improvements or construction is planned? (An accurate site plan may be required)  
Construction of a one family residence

**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.

*The Old Second National Bank of Adams, as Trustee Under Trust Agreement Dated Feb. 10, 1994*

By: Edward J. Jones v.p. & Trust Officer JUNE 7, 2021

Record Owner: DocuSigned by: Jones, Dan Date: 6/7/2021

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.*

Dan Leuer / Leuer Brothers Trust #295  
Name of Development/Applicant

June 22, 2021  
Date

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

While the two parcels containing 40± acres in total area are currently vacant, there are several platted subdivisions and existing residential home sites in the immediate vicinity (see aerial photograph attached).

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

There is a mix of zoning classifications in the general area including E-2A, E-3, E-3A Special Use, B-1, F-1, R-1 (see Zoning Map).

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

The F District would require a parcel of not less than 15 acres recorded in the period 12/11/79 - 9/8/92

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

Some development activity is occurring in the Village of Sugar Grove and along the Rte-47 and I-88 corridors.

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

Proposed use is consistent with the modest growth foreseen for the area and the objective to allow limited development in F District areas that are not suitable for agriculture because of the steep terrain and soil productivity limitations (see GIS Topo Mapping attached).

## **PROJECT NARRATIVE**

### **Dan Leuer Residence**

The proposed building site for the Dan Leuer residence on a 6± acre parcel in the F-1 District will disturb approximately 10,000 – 14,000 SF of ground surface along Harter Road on a topographic portion of the parcel that is part of the Harter Road Estate Complex with rolling terrain (see Conceptual Site Grading & Drainage Plan). Suitable erosion and sedimentation control measures and devices will be deployed (see also Survey and Kane County GIS and Topo Map).

H:\1904357\ENGINEER\PROJECT NARRATIVE.docx

# PLAT OF SURVEY OF PARENT PARCEL & PROPOSED NEW PARCEL SUBJECT TO ZONING CHANGE

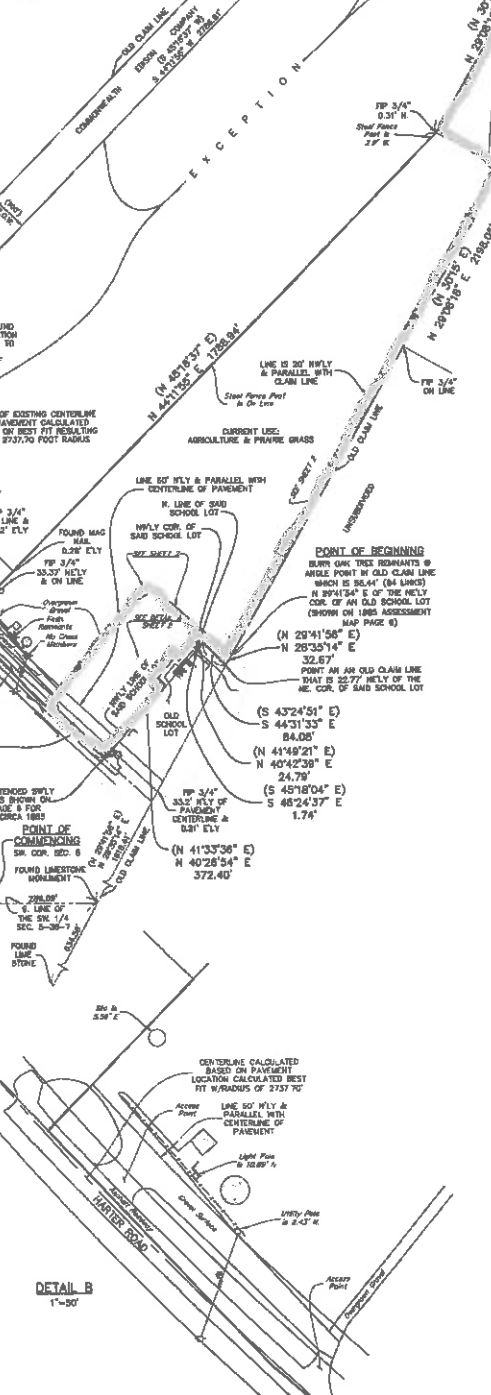
### PARCEL DESCRIPTION

THAT PART OF THE WEST HALF OF SECTION 6, AND THAT PART OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 30 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE EASTERLY, ALONG THE SOUTH LINE OF SAID SECTION, 289.00 FEET TO AN OLD CLAIM LINE; THENCE NORTH 30 DEGREES, 41 MINUTES, 58 SECONDS EAST 1,618.41 FEET TO A BURR OAK TREE, MARKING AN ANGLE POINT IN SAID OLD CLAIM LINE WHICH IS 60.44 FEET (64 LINKS) SOUTHWEST OF THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE NORTH 30 DEGREES, 15 MINUTES EAST, ALONG SAID OLD CLAIM LINE, 2,932.60 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 6; THENCE NORTH 18 DEGREES, 41 MINUTES, 23 SECONDS WEST, ALONG SAID NORTH LINE, 287.58 FEET TO A POINT THAT IS 100.0 FEET SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLE TO AN OLD CLAIM LINE; THENCE SOUTH 45 DEGREES, 18 MINUTES, 37 SECONDS WEST, PARALLEL WITH THE OLD CLAIM LINE, 2,786.81 FEET TO A POINT IN THE CENTER OF HARTER ROAD; THENCE SOUTH 30 DEGREES, 21 MINUTES, 25 SECONDS EAST 121.79 FEET; THENCE SOUTH 34 DEGREES, 21 MINUTES, 25 SECONDS EAST 387.9 FEET; THENCE SOUTH 48 DEGREES, 10 MINUTES, 23 SECONDS EAST 387.9 FEET; THENCE SOUTH 48 DEGREES, 10 MINUTES, 23 SECONDS EAST 233.67 FEET TO THE NORTHEASTERLY LINE, AND SAID LINE EXTENDED SOUTHWESTERLY, OF AN OLD SCHOOL LOT; THENCE NORTH 41 DEGREES, 30 MINUTES, 36 SECONDS EAST, ALONG THE NORTHEASTERLY LINE OF SAID SCHOOL LOT, 374.40 FEET TO THE NORTHEASTERLY CORNER OF SAID SCHOOL LOT; THENCE SOUTH 45 DEGREES, 18 MINUTES, 37 SECONDS EAST, ALONG THE NORTH LINE OF SAID SCHOOL LOT, 1.74 FEET; THENCE NORTH 41 DEGREES, 49 MINUTES, 21 SECONDS EAST 24.78 FEET; THENCE SOUTH 43 DEGREES, 24 MINUTES, 51 SECONDS EAST 84.09 FEET TO A POINT ON AN OLD CLAIM LINE THAT IS 32.77 FEET NORTHEASTERLY OF THE NORTHEAST CORNER OF SAID SCHOOL LOT; THENCE NORTH 29 DEGREES, 41 MINUTES, 58 SECONDS EAST 32.67 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THE FOLLOWING: THAT PART OF THE WEST HALF OF SECTION 6, AND THAT PART OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 30 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE EASTERLY, ALONG THE SOUTH LINE OF SAID SECTION, 289.00 FEET TO AN OLD CLAIM LINE; THENCE NORTH 30 DEGREES, 41 MINUTES, 58 SECONDS EAST 1,618.41 FEET TO A BURR OAK TREE, MARKING AN ANGLE POINT IN SAID OLD CLAIM LINE WHICH IS 60.44 FEET (64 LINKS) SOUTHWEST OF THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE NORTH 30 DEGREES, 15 MINUTES EAST, ALONG OLD CLAIM LINE, 2,198.00 FEET, FOR A POINT OF BEGINNING, THENCE NORTH 30 DEGREES, 15 MINUTES EAST, ALONG SAID OLD CLAIM LINE, 2,932.60 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 6; THENCE NORTH 18 DEGREES, 41 MINUTES, 23 SECONDS WEST, ALONG SAID NORTH LINE 287.58 FEET TO A POINT THAT IS 100.0 FEET SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLE TO AN OLD CLAIM LINE; THENCE SOUTH 45 DEGREES, 18 MINUTES, 37 SECONDS WEST, PARALLEL WITH THE OLD CLAIM LINE, 2,786.81 FEET TO A POINT IN THE CENTER OF HARTER ROAD; THENCE SOUTH 30 DEGREES, 21 MINUTES, 25 SECONDS EAST 121.79 FEET; THENCE SOUTH 34 DEGREES, 21 MINUTES, 25 SECONDS EAST 387.9 FEET; THENCE SOUTH 48 DEGREES, 10 MINUTES, 23 SECONDS EAST 387.9 FEET; THENCE SOUTH 48 DEGREES, 10 MINUTES, 23 SECONDS EAST 233.67 FEET TO THE POINT OF BEGINNING, ALL IN SUGAR GROVE TOWNSHIP, HANE COUNTY, ILLINOIS.

## FOR UNSUBDIVIDED PROPERTY ALONG HARTER ROAD, SUGAR GROVE, IL

- LINE LEGEND**
- PROPERTY LINE (Thin Solid Line)
  - ADJACENT PROPERTY LINE OR RIGHT-OF-WAY LINE (Thin Dashed Line)
  - CENTERLINE (Single Dashed Line)
  - QUARTER SECTION LINE (Double Dashed Line)
  - SECTION LINE (Triple Dashed Line)

- SYMBOL LEGEND**
- FP - FOUND IRON PIPE
  - R.O.W. - RIGHT-OF-WAY
  - U - UTILITY POLE
  - S - STREET SIGN
  - T - TELEPHONE CANTILEVER
  - F - FENCE LINE
  - M - FENCE/METAL/GATE POST
  - C - CONCRETE SURFACE
  - Z - PROPOSED ZONING CHANGE PARCEL



### SURVEYOR'S NOTES

COMPARE THE DESCRIPTION ON THIS PLAT WITH YOUR DEED, ABSTRACT, OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND REPORT ANY DIFFERENCE IMMEDIATELY.

BUILDING LINES ARE SHOWN ONLY WHERE THEY ARE SO RECORDED ON THE MAP. REFER TO YOUR DEED OR ABSTRACT FOR ADDITIONAL ZONING RESTRICTIONS.

THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND IMPRESSED SEAL.

A PRELIMINARY TITLE COMMITMENT WAS NOT FURNISHED TO CEMCON, LTD. FOR USE IN THE PREPARATION OF THIS SURVEY. THEREFORE, THERE MAY BE ADDITIONAL EASEMENTS AND/OR SERVITUDES AFFECTING THIS PROPERTY WHICH ARE NOT SHOWN HEREON. LEGAL DESCRIPTION PURSUANT TO DEED RECORDED AS DOC. 97K077003.

MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

DIMENSIONS ENCLOSED IN || INDICATE RECORD OR DEED DATA. ALL OTHER DIMENSIONS ARE MEASURED OR RECORD EQUALS MEASURED.

FIELDWORK COMPLETED ON 10-2-2020.

RECORD BEARINGS SHOWN IN ACCORDANCE WITH DEED PER DOC. 97K077003. MEASURED BEARINGS ASSUMED.

PARCEL (AS DESCRIBED) CONTAINS 901,085 S.F. OR 20.688 ACRES, MORE OR LESS, (INCLUDING THAT PART FALLING IN HARTER ROAD)

LIMITED PROPERTY COVERS SET PER AGREEMENT WITH OWNER.

### SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS) SS.  
COUNTY OF DUPAGE) SS.  
I, PETER A. BLASSER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED UNDER MY DIRECTION AND THIS PROFESSIONAL DEED CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.  
DATED THIS 10th DAY OF JANUARY, A.D. 2021



DETAIL B  
1"=50'

PREPARED FOR:  
**MR. DAN LEUER**  
45787 HARTER ROAD  
SUGAR GROVE, IL 60554

PREPARED BY:  
**CEMCON, Ltd.**  
Consulting Engineers, Land Surveyors & Planners  
2280 White Oak Circle, Suite 100  
Aurora, Illinois 62002-8875  
PH: 630.882.1100 FAX: 630.882.2199  
E-Mail: cemcon@cemcon.com Website: www.cemcon.com

DISC NO.: 044327 FILE NAME: REZONING EXHIBIT  
DRAWN BY: SWR F.L.S. / P.C. NO.: PRINT NOTES  
COMPLETION DATE: 10-4-2020 JOB NO.: 094-357  
REVISED: 11-2-20/SAR PER CLIENT REVIEW  
REVISED: 8-11-21/SAR EXCEPTION AROUND HOUSE

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DATE PLOTTED: 10/2/2020 10:58:58 AM

# PLAT OF SURVEY OF PART OF PARENT PARCEL, BEING NEW PARCEL SUBJECT OF REZONING FOR UNSUBDIVIDED PROPERTY ALONG HARTER ROAD, SUGAR GROVE, IL

**LINE LEGEND**

- PROPERTY LINE (Heavy Solid Line)
- ADJACENT PROPERTY LINE OF RIGHT-OF-WAY LINE (Light Solid Line)
- CENTERLINE (Single Dashed Line)
- QUARTER SECTION LINE (Double Dashed Line)
- SECTION LINE (Triple Dashed Line)

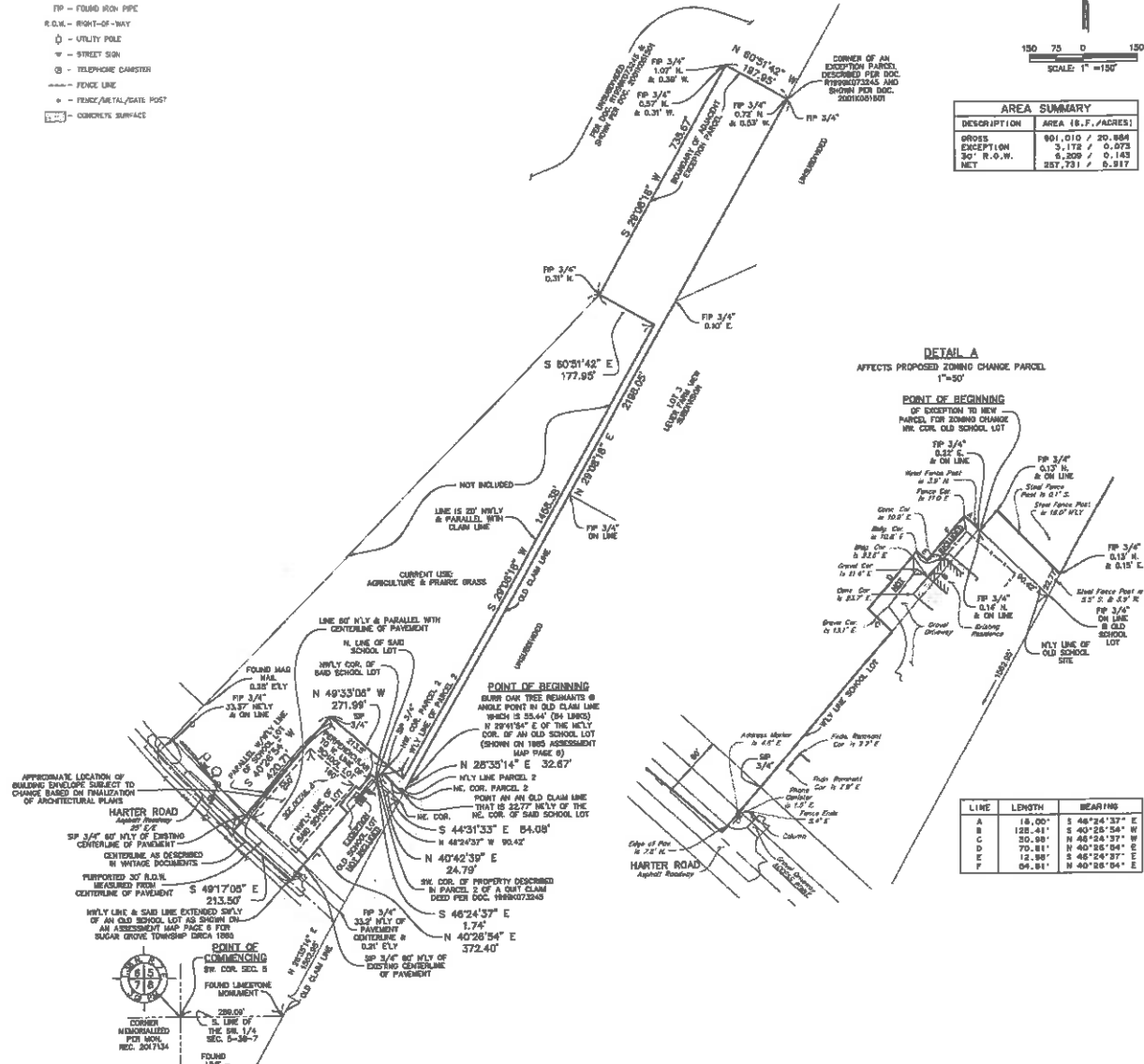
**SYMBOL LEGEND**

- FP - FOUND IRON PIPE
- R.O.W. - RIGHT-OF-WAY
- U - UTILITY POLE
- S - STREET SIGN
- T - TELEPHONE CANTER
- F - FENCE LINE
- F.P. - FENCE/ART/GATE POST
- C.S. - CONCRETE SURFACE



**AREA SUMMARY**

DESCRIPTION	AREA (S.F./ACRES)
GROSS	901,010 / 20.804
EXCEPTION	3,175 / 0.073
30' R.O.W.	6,209 / 0.143
NET	891,626 / 20.617



**DETAIL A**  
AFFECTS PROPOSED ZONING CHANGE PARCEL  
1"=50'

LINE	LENGTH	BEARING
A	18.00'	S 46°24'37" E
B	128.41'	S 40°28'56" W
C	30.98'	N 48°56'37" W
D	70.81'	N 40°26'04" E
E	12.98'	S 48°28'37" E
F	04.91'	N 40°28'56" E

**SURVEYOR'S NOTES**

COMPARE THE DESCRIPTION ON THIS PLAT WITH YOUR DEED, ABSTRACT, OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND REPORT ANY DIFFERENCE IMMEDIATELY.

BUILDING LINES ARE SHOWN ONLY WHERE THEY ARE SO RECORDED ON THE MAPS. REFER TO YOUR DEED OR ABSTRACT FOR ADDITIONAL ZONING RESTRICTIONS.

THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND IMPRESSED SEAL.

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MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

DIMENSIONS ENCLOSED IN ( ) INDICATE RECORD OR DEED DATA. ALL OTHER DIMENSIONS ARE MEASURED OR RECORD EQUALS MEASURED.

FIELDWORK COMPLETED ON 10-8-2020.

RECORD BEARINGS SHOWN IN ACCORDANCE WITH DEED PER DOC 97007003. MEASURED BEARINGS ASSUMED.

LIMITED PROPERTY CORNERS SET PER AGREEMENT WITH OWNER.

PARCEL (AS DESCRIBED) CONTAINS 9,917 S.F. OR 0.143 ACRES, MORE OR LESS.

**SURVEYOR'S CERTIFICATE**

STATE OF ILLINOIS) )  
COUNTY OF DUPAGE) )

I, PETER A. BLAESER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED UNDER MY DIRECTION AND THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 10th DAY OF NOVEMBER, A.D., 2021.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 5072  
MY REGISTRATION EXPIRES ON NOVEMBER 30, 2022  
PROFESSIONAL DESIGN FIRM LICENSE NO. 154-020237,  
EXPIRATION DATE IS APRIL 30, 2023

**PARCEL DESCRIPTION**

THAT PART OF THE WEST HALF OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 5 AS MEMORIALIZED BY A MONUMENT RECORDED AS DOCUMENT 2017134; THENCE EASTERLY, 289.09 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION TO A LIMESTONE FALLING IN LINE OF AN OLD CLAIM LINE; THENCE NORTH 28 DEGREES 33 MINUTES 14 SECONDS EAST, 1619.41 FEET ALONG SAID CLAIM LINE TO A POINT OF BEGINNING AT AN ANGLE POINT THEREIN AS DELINEATED BY REMNANTS OF AN OLD BURR OAK TREE AS SHOWN ON PLAT # OF A CIRCA 1860 ASSESSMENT PLAT BOOK, FOR SUGAR GROVE TOWNSHIP ON FILE AT THE KANE COUNTY RECORDER'S OFFICE; THENCE NORTH 29 DEGREES 08 MINUTES 18 SECONDS EAST, 2190.05 FEET ALONG SAID CLAIM LINE TO A CORNER OF AN EXCEPTION PARCEL DESCRIBED IN DOCUMENT 1998073245 AND SHOWN ON A PLAT OF SURVEY RECORDED AS DOCUMENT 200105101; THENCE NORTH 80 DEGREES 31 MINUTES 42 SECONDS WEST, 187.95 FEET ALONG THE BOUNDARY OF SAID EXCEPTION PARCEL, THENCE SOUTH 29 DEGREES 08 MINUTES 18 SECONDS WEST, 735.67 FEET ALONG THE BOUNDARY OF SAID EXCEPTION PARCEL TO AN ANGLE POINT THEREIN; THENCE SOUTH 60 DEGREES 01 MINUTES 48 SECONDS EAST, 177.95 FEET ALONG A LINE THAT IS PERPENDICULAR TO THE LAST DESCRIBED CORNER TO A POINT ON A LINE THAT IS 80 FEET NORTHWESTERLY OF AND PARALLEL WITH THE AFORESAID OLD CLAIM LINE, LYING NORTHERLY OF SAID BURR OAK TREE; THENCE SOUTH 29 DEGREES 08 MINUTES 18 SECONDS WEST, 1456.29 FEET ALONG SAID PARALLEL LINE; THENCE NORTH 49 DEGREES 33 MINUTES 05 SECONDS WEST, 271.58 FEET ALONG A LINE THAT IS PERPENDICULAR TO THE WEST LINE OF A SCHOOL LOT AS SHOWN ON A CIRCA 1860 ASSESSMENT PLAT BOOK, AFORESAID; THENCE SOUTH 40 DEGREES 28 MINUTES 56 SECONDS WEST, 420.71 FEET PARALLEL WITH THE WESTERLY LINE OF SAID SCHOOL LOT TO AN OLD CENTERLINE OF HARTER ROAD AS DESCRIBED IN VINTAGE DEEDS RECORDED AT THE KANE COUNTY RECORDER'S OFFICE; THENCE SOUTH 49 DEGREES 17 MINUTES 05 SECONDS EAST ALONG SAID CENTERLINE TO THE SOUTH WEST CORNER OF SAID SCHOOL LOT; THENCE NORTH 40 DEGREES 28 MINUTES 04 SECONDS EAST, 372.40 FEET ALONG THE WESTERLY LINE OF SAID SCHOOL LOT TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 49 DEGREES 34 MINUTES 48 SECONDS EAST, 1.74 FEET ALONG THE NORTHERLY LINE OF SAID SCHOOL LOT TO THE SOUTHWEST CORNER OF PROPERTY DESCRIBED IN PARCEL 2 OF A 0017 CLAIM DEED RECORDED AS DOCUMENT 1998073245; THENCE NORTH 40 DEGREES 42 MINUTES 39 SECONDS EAST, 24.78 FEET ALONG THE WESTERLY LINE OF SAID PARCEL 2 TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 44 DEGREES 31 MINUTES 33 SECONDS EAST, 84.08 FEET ALONG THE NORTHERLY LINE OF SAID PARCEL 2 TO THE NORTHEAST CORNER THEREOF; SAID CORNER FALLING IN LINE OF SAID CLAIM LINE. AFORESAID, LYING SOUTH OF THE BURR OAK TREE AND NORTHERLY, 22.77 FEET TO THE NORTHEAST CORNER OF THE SCHOOL LOT (AS MEASURED ALONG SAID CLAIM LINE); THENCE NORTH 29 DEGREES 08 MINUTES 18 SECONDS EAST, 177.95 FEET ALONG SAID CLAIM LINE TO THE POINT OF BEGINNING, IN KANE COUNTY, IL. (SAID POINT OF BEGINNING BEING 65.44 FEET NORTHEASTERLY OF THE NORTHEAST CORNER OF SAID SCHOOL LOT AS MEASURED ALONG SAID CLAIM LINE). EXCEPTING THEREFROM THAT POINT OF BEGINNING OF SAID CLAIM LINE TO A CORNER OF SAID SECTION 5 AS MEMORIALIZED BY A MONUMENT RECORDED AS DOCUMENT 2017134; THENCE EASTERLY, 289.09 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION TO A POINT OF BEGINNING OF SAID CLAIM LINE; THENCE NORTH 28 DEGREES 33 MINUTES 14 SECONDS EAST (BEARINGS ASSUMED FOR DESCRIPTION PURPOSES), 1682.85 FEET ALONG SAID CLAIM LINE TO THE NORTHEAST CORNER OF A SCHOOL LOT AS SHOWN IN THE OLD CLAIM LINE ASSESSMENT PLAT BOOK, FOR SUGAR GROVE TOWNSHIP ON FILE AT THE KANE COUNTY RECORDER'S OFFICE; THENCE NORTH 48 DEGREES 24 MINUTES 37 SECONDS WEST, 90.42 FEET ALONG THE NORTHERLY LINE OF SAID SCHOOL LOT TO THE NORTHEAST CORNER THEREOF; FOR A POINT OF BEGINNING OF SAID EXCEPTION; THENCE SOUTH 40 DEGREES 26 MINUTES 04 SECONDS WEST, 128.41 FEET ALONG THE WESTERLY LINE OF SAID LOT, THENCE NORTH 40 DEGREES 24 MINUTES 37 SECONDS WEST, 30.98 FEET PARALLEL WITH THE WESTERLY LINE OF SAID PARALLEL WITH SAID WESTERLY LINE; THENCE SOUTH 48 DEGREES 28 MINUTES 37 SECONDS EAST, 12.98 FEET PARALLEL WITH SAID WESTERLY LINE TO ITS INTERSECTION WITH THE NORTHEASTERLY EXTENSION OF THE NORTHERLY LINE OF SAID LOT; THENCE SOUTH 48 DEGREES 24 MINUTES 37 SECONDS EAST, 18.00 FEET ALONG SAID EXTENDED LINE TO THE POINT OF BEGINNING OF SAID EXCEPTION.

PREPARED FOR:  
**MR. DAN LEUER**  
45787 HARTER ROAD  
SUGAR GROVE, IL 60554

PREPARED BY:  
**CEMCON, Ltd.**  
Consulting Engineers, Land Surveyors & Planners  
2350 White Oak Circle, Suite 100  
Aurora, Illinois 60502-9975  
PH: 630.882.2100 FAX: 630.882.2188  
E-MAIL: info@cemcon.com Website: www.cemcon.com

DISC NO: 604367 FILE NAME: REZONING EXHIBIT  
DRAWN BY: SAK FLD. BK. / PG. NO.: PRINT NOTES  
COMPLETION DATE: 10-8-2020 JOB NO.: 904.367  
REVISION: 11-2-20/SAR PER CLIENT REVIEW  
REVISED: 6-1-21/JMR EXCEPTION AROUND HOUSE

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**Leuer Property of Sugar Grove, IL  
T38N, R7E, SEC. 5  
SUAGR GROVE QUADRANGLE**

**4S787 Harter Road**



**CEMCON, Ltd.**

**PROJECT / CLIENT:**

Mr. Dan Leuer  
4S787 Harter Road  
Sugar Grove, IL 60554  
(630)768-4244

**DRAWN BY:**

DJF

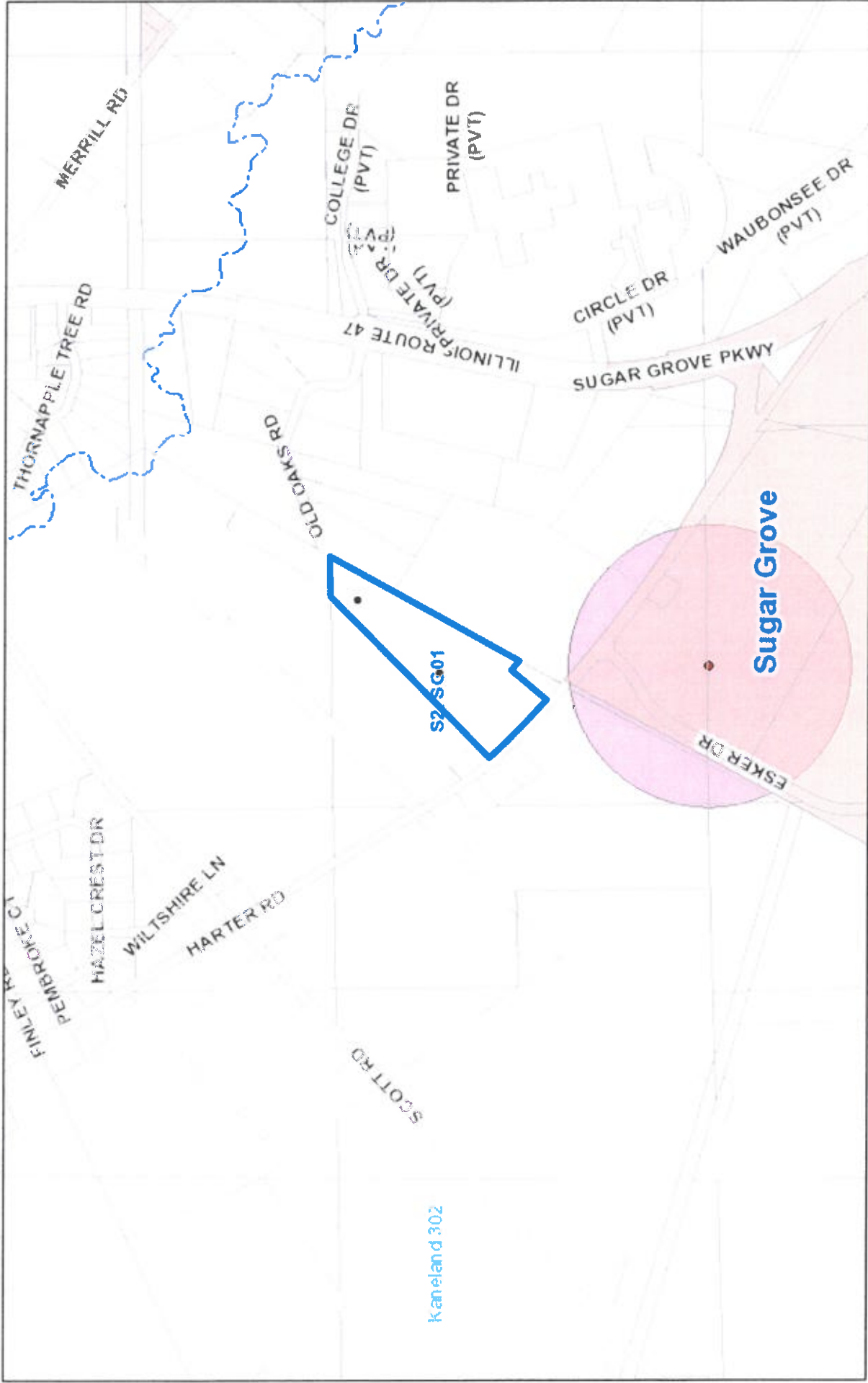
6-21-21

**CHECKED BY:**

**APPROVED:**

**SCALE: N.T.S.**

# Map Title



August 31, 2021

GIS-Technologies

These layers do not represent a survey. No Accuracy is assumed for the data obtained 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





# Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271  
www.dnr.illinois.gov

JB Pritzker, Governor  
Colleen Callahan, Director

September 10, 2020  
Mr. Dan Leuer  
4S787 Harter Road  
Sugar Grove, IL 60554

**RE: DTL Trust  
Consultation Program  
EcoCAT Review #2104952  
Kane County**

Dear Mr. Leuer,

The Department has received your submission of this project for the purposes of consultation pursuant to the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code Part 1075*. Additionally, the Department may offer advice and recommendations for species covered under the *Fish & Aquatic Life Code* [515 ILCS 5, *et seq.*]; the *Illinois Wildlife Code* [520 ILCS 5, *et seq.*]; and the *Herpetiles-Herps Act* [510 ILCS 69].

These proposed actions consist of: "breaking off 6+/- acres from parcel number 14-05-300-030 (2.29+/- acres) and 14-05-100-027 (Entire parcel acreage 3.73) for a total of 6.02+/- acres. Applying for F1 zoning from current F zoning on the front 1.74 acres (14-05-300-030) to allow a residential permit".

This project is in the vicinity of records for the state and federally listed threatened **northern long-eared bat** (*Myotis septentrionalis*). If trees will be removed to facilitate construction of a future residence, the Department recommends tree removal occurs from November 1<sup>st</sup> through March 31<sup>st</sup> when the bat is likely to be hibernating in caves off site.

If tree removal is necessary during the bat's active period, a field visit should be performed by a qualified individual (biologist, forester, or others who have been trained accordingly) to determine if suitable trees are present to provide northern long-eared bat habitat. If suitable habitat trees are found within the project area, they should be clearly flagged and/or marked and **shall not be cut** between **April 1<sup>st</sup> – October 31<sup>st</sup>**. Suitable habitat trees are defined as trees  $\geq 5$  inches diameter breast height (dbh), with exfoliating bark and other features potentially utilized by roosting bats. All non-suitable trees may be cut at any time.

Given the above recommendations are adopted, the Department has determined that impacts are unlikely. In accordance with 17 Ill. Adm. Code 1075.40(h), please notify the Department of your decision regarding these recommendations.

Consultation on the part of the Department is closed unless the project proponent or County desires additional information or advice related to this proposal. Consultation for Part 1075 is valid for two years unless new information becomes available which was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the action 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**.

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Thank you,

*Adam Rawe*

Adam Rawe  
Office of Realty & Capital Planning  
Illinois Dept. of Natural Resources  
One Natural Resources Way  
Springfield, IL 62702-1271  
Adam.Rawe@illinois.gov  
(217)785-4991

**Applicant:** Dan Leuer  
**Contact:** Dan Leuer  
**Address:** 4S787 Harter Road  
Sugar Grove, IL 60554

**IDNR Project Number:** 2114968  
**Date:** 06/21/2021  
**Alternate Number:** 904.357

**Project:** Leuer Property  
**Address:** 4s787 Harter Rd, Sugar Grove

**Description:** Rezoning and subdivision of 4s787 Harter Rd, and design of a residential lot.

### 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:

Northern Harrier (*Circus cyaneus*)  
Northern Long-Eared Myotis (*Myotis septentrionalis*)  
Wilson's Phalarope (*Phalaropus tricolor*)

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:**  
38N, 7E, 5



**IL Department of Natural Resources**  
**Contact**  
Brian Willard  
217-785-5500  
Division of Ecosystems & Environment

**Government Jurisdiction**  
IL Environmental Protection Agency  
Alan Keller  
1021 North Grand Avenue  
Springfield, Illinois, Illinois 62794

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# Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271  
www.dnr.illinois.gov

JB Pritzker, Governor  
Colleen Callahan, Director

September 10, 2020  
Mr. Dan Leuer  
4S787 Harter Road  
Sugar Grove, IL 60554

**RE: DTL Trust  
Consultation Program  
EcoCAT Review #2104952  
Kane County**

Dear Mr. Leuer,

The Department has received your submission of this project for the purposes of consultation pursuant to the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075. Additionally, the Department may offer advice and recommendations for species covered under the *Fish & Aquatic Life Code* [515 ILCS 5, *et seq.*]; the *Illinois Wildlife Code* [520 ILCS 5, *et seq.*]; and the *Herptiles-Herps Act* [510 ILCS 69].

These proposed actions consist of: "breaking off 6+/- acres from parcel number 14-05-300-030 (2.29+/- acres) and 14-05-100-027 (Entire parcel acreage 3.73) for a total of 6.02+/- acres. Applying for F1 zoning from current F zoning on the front 1.74 acres (14-05-300-030) to allow a residential permit".

This project is in the vicinity of records for the state and federally listed threatened **northern long-eared bat** (*Myotis septentrionalis*). If trees will be removed to facilitate construction of a future residence, the Department recommends tree removal occurs from November 1<sup>st</sup> through March 31<sup>st</sup> when the bat is likely to be hibernating in caves off site.

If tree removal is necessary during the bat's active period, a field visit should be performed by a qualified individual (biologist, forester, or others who have been trained accordingly) to determine if suitable trees are present to provide northern long-eared bat habitat. If suitable habitat trees are found within the project area, they should be clearly flagged and/or marked and **shall not be cut between April 1<sup>st</sup> – October 31<sup>st</sup>**. Suitable habitat trees are defined as trees  $\geq 5$  inches diameter breast height (dbh), with exfoliating bark and other features potentially utilized by roosting bats. All non-suitable trees may be cut at any time.

Given the above recommendations are adopted, the Department has determined that impacts are unlikely. In accordance with 17 Ill. Adm. Code 1075.40(h), please notify the Department of your decision regarding these recommendations.

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Old Second National Bank Aurora - 30-6027-00

Rezoning from F-District Farming to F-1 District One Family Residential

**Special Information:** The petitioner is under contract to purchase 6 acres of the property, which includes an existing residential along Harter Road. The petitioner is seeking a rezoning of 2 acres, which contains the home, to keep the residential use in conformance with the Zoning Ordinance.

**Analysis:** The Kane County 2040 Land Use Plan designates this area as Proposed Open Space. This category includes areas recommended for both public and private open space and green infrastructure uses. The plan recognizes that not all the land identified in this category is available, appropriate, or within the means of public agencies to acquire. It is recommended that portions of the open space and green infrastructure network that cannot be acquired by public agencies be preserved as homeowner association lands, as conservation easements, or if appropriate, as private open space.

**Findings of Fact:**

1. The existing residential use will not be intensified by the rezoning.

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