

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

4605

<i>Received Date</i>

**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): 14-07-400-008 & 14-18-200-009
	Street Address (or common location if no address is assigned): 44w300 Wheeler Rd. Sugar Grove, IL 60554

2. Applicant Information:	Name Stason Ludwig	Phone 815-762-2136
	Address 1100 S. County Line Rd.	Fax
	Maple Park, IL 60151	Email stason@roosterag.com

3. Owner of record information:	Name Darryl G. Harner Family Trust / Harner Family Properties Inc. C/O Joanne Binkley	Phone 815-970-3024
	Address 10 W State St.	Fax
	North Aurora, IL 60542	Email catering@harnersbakery.com

Zoning and Use Information:

2040 Plan Land Use Designation of the property: Resource Management

Current zoning of the property: F - Farming

Current use of the property: Farming and Rural Residential

Proposed zoning of the property: E3 - Estate Residential

Proposed use of the property: Estate/Rural Residential

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

Current owner does not have any plans for improvement, they plan on selling house to someone in family and new owner plans on removing current house and building a new one.

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 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.

Joanne Binkley 8-9-2022
Record Owner Date

Stason Ludwig 8/25/2022
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.*

Stason Ludwig
Name of Development/Applicant

8/25/2022
Date

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

The proposed use of the property does not change the current use of the property but will allow the homesite to be seperated and sold apart from the farm ground.

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

The property is across the street from an airport but the general area is agriculture farm fields and rural residential home sites.

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

Accompanied with the farm field that it currently is the use of the property is suitable , once seperated from the field it will need the E3 classification to be in compliance.

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

The property is between the Aurora Municipal Airport and the Kaneland Harter Middle School and a few miles west of a subdivision and industrial park, but they have all been there for serveral years and there has been very little if any developement in recent years

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

The 2040 plan indicates that this area will be subject to growth and development pressure during the next 30 years. Based on its location to the middle school and air port, residential development in this area would make sense.

Darryl Harner Trust

Rezoning request on portion of property from F-District Farming to E-3 District Estate
Residential

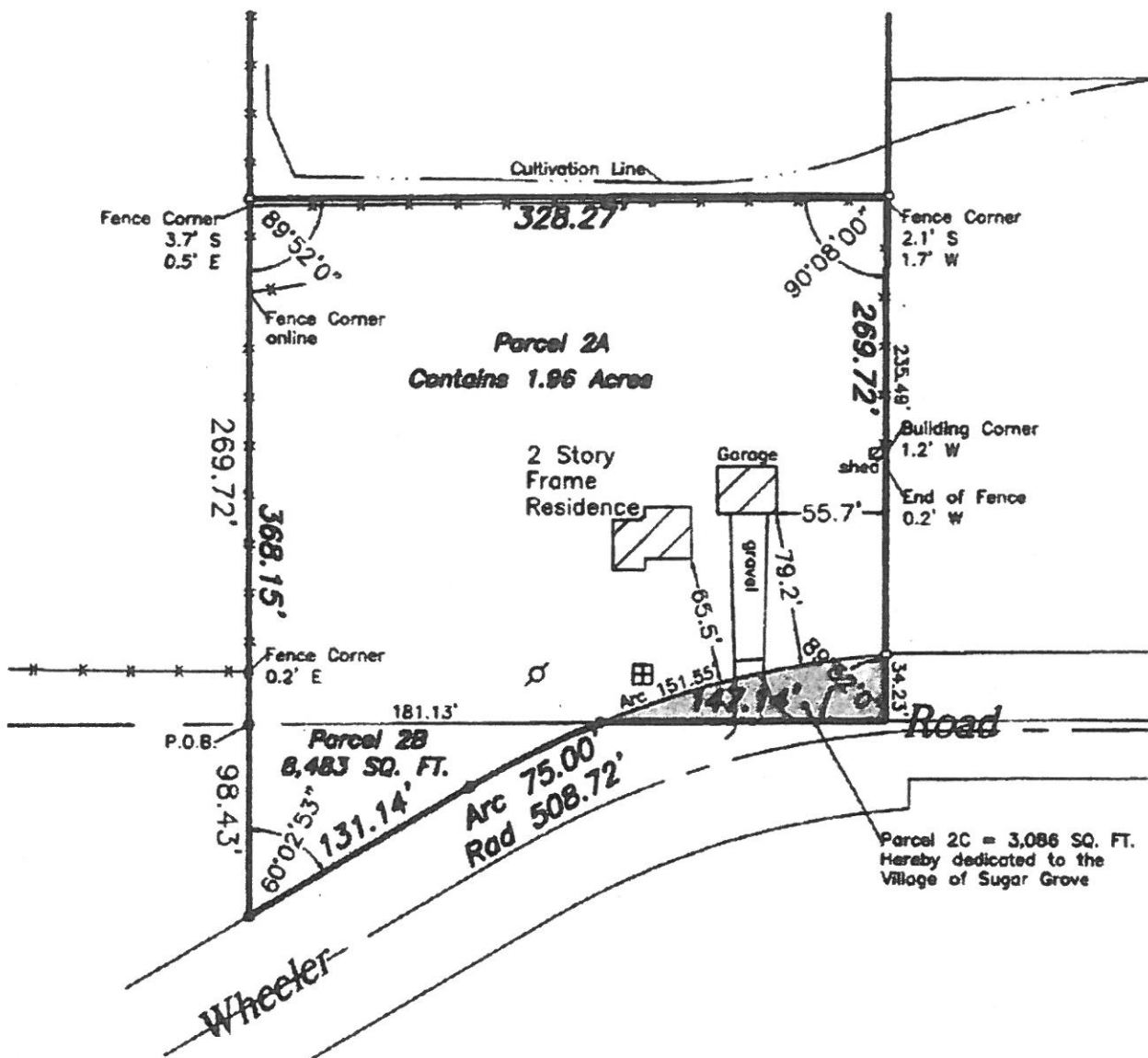
Special Information: The petitioners are seeking a rezoning to allow the existing single family home to be split off from the remaining farmland to the north. There are no plans for any additional homes.

Analysis: The Kane County 2040 Land Use Plan designates this area as Resource Management. 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 would allow the existing single family home to be split off from the remaining farmland on the property.

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



PARCEL 2 DETAIL

SCALE: 1"=100'

PARCEL 2A:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SAID SOUTHEAST QUARTER OF SECTION 7; THENCE EASTERLY, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 820.70 FEET FOR A POINT OF BEGINNING; THENCE NORTHERLY, AT AN ANGLE OF 89 DEGREES 52 MINUTES 00 SECONDS MEASURED CLOCKWISE FROM SAID SOUTH LINE AND PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST QUARTER, 269.72 FEET; THENCE EASTERLY, AT AN ANGLE OF 89 DEGREES 52 MINUTES 00 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE,

PLAT AND CERTIFICATE OF SURVEY

PARCEL 1:

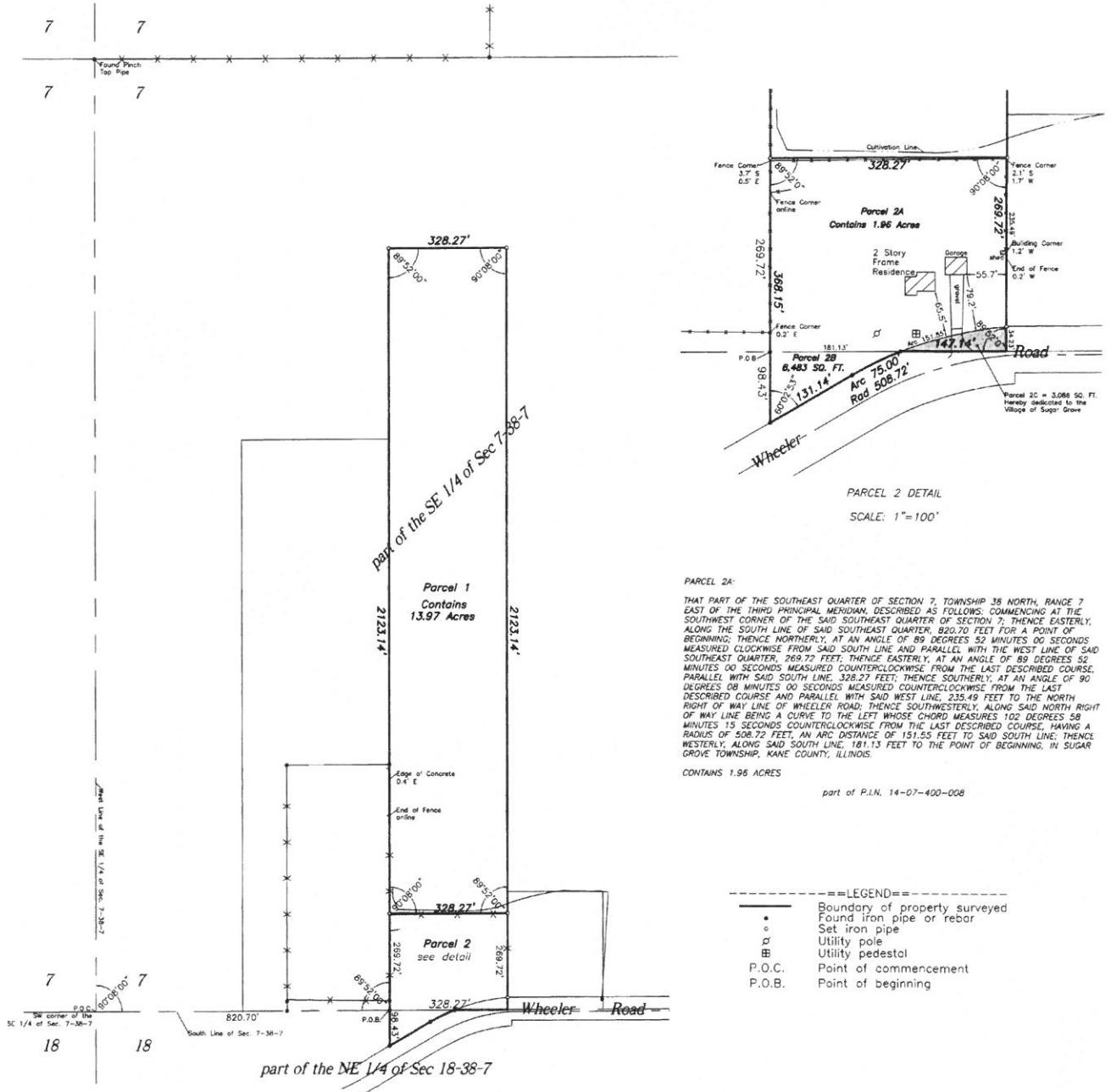
THAT PART OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER 820.70 FEET EAST OF THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 89 DEGREES 20 MINUTES 40 SECONDS EAST ALONG SAID SOUTH LINE A DISTANCE OF 328.27 FEET; THENCE NORTH 00 DEGREES 30 MINUTES 44 SECONDS EAST ALONG A LINE PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2123.14 FEET; THENCE NORTH 89 DEGREES 20 MINUTES 40 SECONDS WEST ALONG A LINE PARALLEL WITH SAID SOUTH LINE A DISTANCE OF 328.27 FEET; THENCE SOUTH 00 DEGREES 30 MINUTES 44 SECONDS WEST ALONG A LINE PARALLEL WITH SAID WEST LINE, A DISTANCE OF 2123.14 FEET TO SAID POINT OF BEGINNING; IN THE TOWNSHIP OF SUGAR GROVE, KANE COUNTY, ILLINOIS; EXCEPTING THEREFROM THE SOUTH 269.72 FEET THEREOF.

CONTAINS 13.97 ACRES
part of P.I.N. 14-07-400-008

PARCEL 2:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 7 AND PART OF THE NORTHEAST QUARTER OF SECTION 18, ALL IN TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SAID SOUTHEAST QUARTER OF SECTION 7; THENCE EASTERLY, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 820.70 FEET FOR A POINT OF BEGINNING; THENCE NORTHERLY, AT AN ANGLE OF 89 DEGREES 52 MINUTES 00 SECONDS MEASURED COUNTERCLOCKWISE FROM SAID SOUTH LINE AND PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST QUARTER, 269.72 FEET; THENCE EASTERLY, AT AN ANGLE OF 89 DEGREES 52 MINUTES 00 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, PARALLEL WITH SAID SOUTH LINE, 328.27 FEET; THENCE SOUTHERLY, AT AN ANGLE OF 90 DEGREES 08 MINUTES 00 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE AND PARALLEL WITH SAID WEST LINE, 269.72 TO SAID SOUTH LINE; THENCE WESTERLY, AT AN ANGLE OF 89 DEGREES 52 MINUTES 00 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, PARALLEL WITH SAID SOUTH LINE, 147.14 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF WHEELER ROAD; THENCE SOUTHWESTERLY, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 508.72 FEET AND A CHORD THAT MEASURES 154 DEGREES 08 MINUTES 17 SECONDS COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, AN ARC DISTANCE OF 75.00 FEET TO A POINT OF TANGENCY IN SAID RIGHT OF WAY LINE; THENCE CONTINUING SOUTHWESTERLY, ALONG SAID TANGENT RIGHT OF WAY LINE, 131.14 FEET; THENCE NORTHERLY, AT AN ANGLE OF 60 DEGREES 02 MINUTES 53 SECONDS MEASURED COUNTERCLOCKWISE FROM SAID RIGHT OF WAY LINE, 98.43 FEET TO THE POINT OF BEGINNING, IN SUGAR GROVE TOWNSHIP, KANE COUNTY, ILLINOIS.

CONTAINS 2.23 ACRES
P.I.N. 14-18-200-009 & part of P.I.N. 14-07-400-008



PARCEL 2A:
THAT PART OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SAID SOUTHEAST QUARTER OF SECTION 7; THENCE EASTERLY, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 820.70 FEET FOR A POINT OF BEGINNING; THENCE NORTHERLY, AT AN ANGLE OF 89 DEGREES 52 MINUTES 00 SECONDS MEASURED COUNTERCLOCKWISE FROM SAID SOUTH LINE AND PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST QUARTER, 269.72 FEET; THENCE EASTERLY, AT AN ANGLE OF 89 DEGREES 52 MINUTES 00 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, PARALLEL WITH SAID SOUTH LINE, 328.27 FEET; THENCE SOUTHERLY, AT AN ANGLE OF 90 DEGREES 08 MINUTES 00 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE AND PARALLEL WITH SAID WEST LINE, 235.48 FEET TO THE NORTH RIGHT OF WAY LINE OF WHEELER ROAD; THENCE SOUTHWESTERLY, ALONG SAID NORTH RIGHT OF WAY LINE BEING A CURVE TO THE LEFT WHOSE CHORD MEASURES 102 DEGREES 58 MINUTES 15 SECONDS COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 508.72 FEET, AN ARC DISTANCE OF 151.55 FEET TO SAID SOUTH LINE; THENCE WESTERLY, ALONG SAID SOUTH LINE, 181.13 FEET TO THE POINT OF BEGINNING, IN SUGAR GROVE TOWNSHIP, KANE COUNTY, ILLINOIS.

CONTAINS 1.96 ACRES
part of P.I.N. 14-07-400-008

- LEGEND**
- Boundary of property surveyed
 - Found iron pipe or rebar
 - o Set iron pipe
 - Utility pole
 - ▣ Utility pedestal
 - P.O.C. Point of commencement
 - P.O.B. Point of beginning

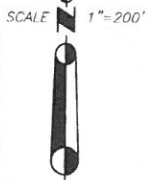
STATE OF ILLINOIS }
COUNTY OF DEKALB } SS

THIS IS TO CERTIFY THAT THE ATTACHED PLAT IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY I HAVE MADE OF PROPERTY HEREOF SHOWN AND DESCRIBED. ALL DISTANCES SHOWN IN FEET AND DECIMALS THEREOF. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
FIELD WORK COMPLETED DECEMBER 10TH, 2022, WITNESS MY HAND AND SEAL AT DEKALB, ILLINOIS THIS 12TH DAY OF JANUARY, 2023.

L. A. Doogs
LESLIE AARON DOOGS
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3833
LICENSE EXPIRATION DATE: NOVEMBER 30TH, 2024



JADE Hanna Surveyors
155 N. 3rd Street
DeKalb, IL 60115
(815) 756-2189
Info@Hannasurveyors.com
License No. 184006622



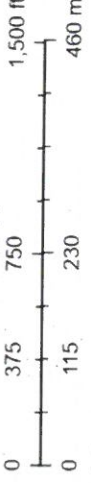
FOR: ROOSTER AG' REALTY
JOB NO. 16661REV

Map Title



December 7, 2022

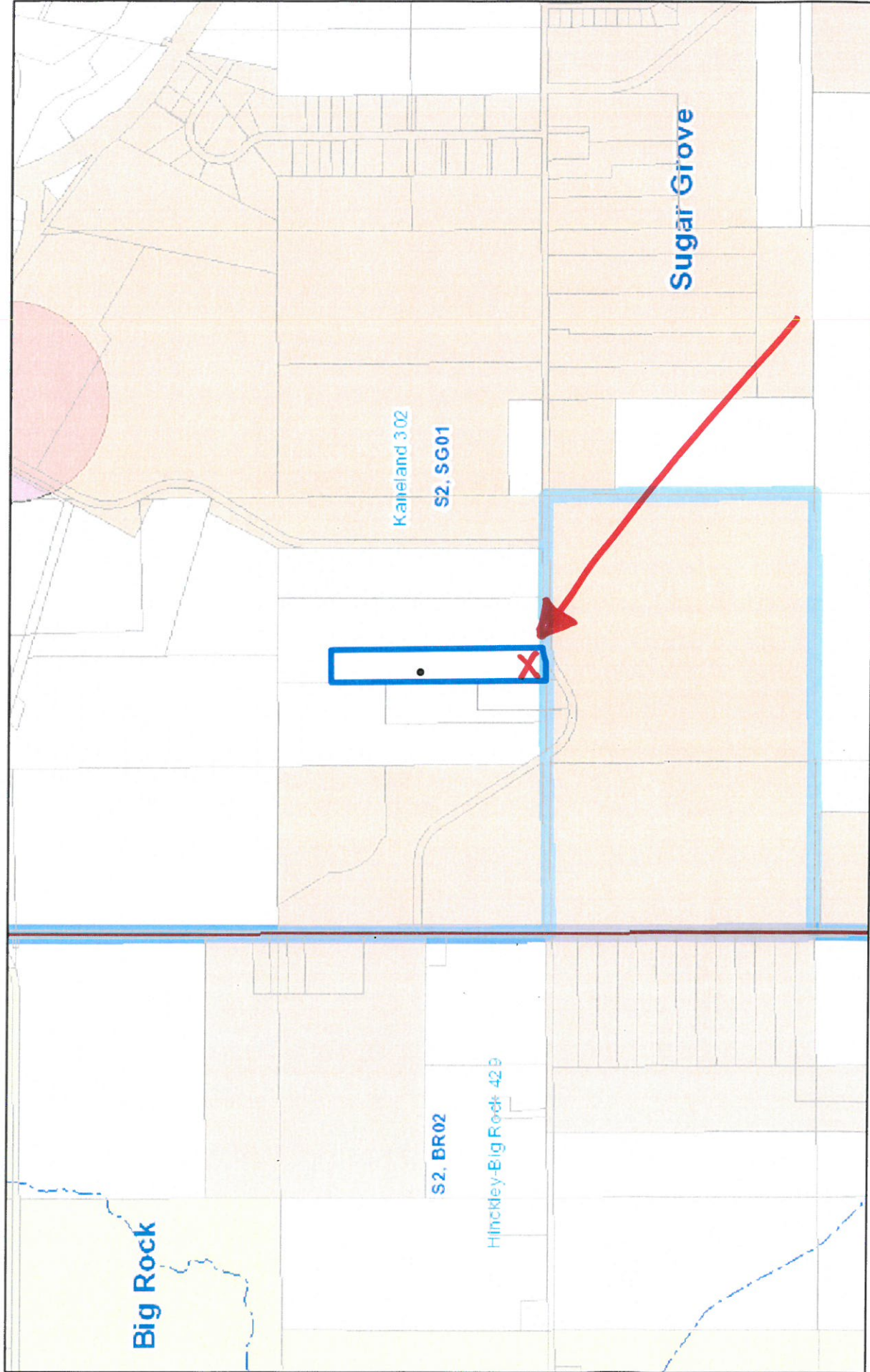
1:8,164



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.

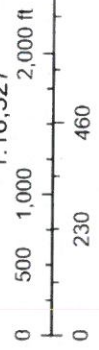
GIS-Technologies
Kane County Illinois

Map Title



December 7, 2022

1:16,327



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 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