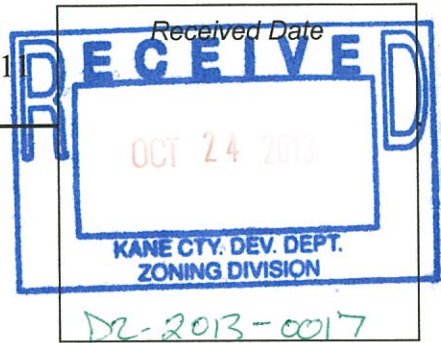


KANE COUNTY DEVELOPMENT DEPARTMENT  
 Zoning Division, Kane County Government Center  
 719 Batavia Avenue  
 Geneva, Illinois 60134  
 Office (630) 232-3492 Fax: (630) 232-3411



## ZONING MAP AMENDMENT APPLICATION

**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>  14-06-200-028
	<b>Street Address (or common location if no address is assigned):</b> 4 S. 020 Harter Rd Sugar Grove, IL. 60554

<b>2. Applicant Information:</b>	<b>Name</b> Lionel & Carrie Guerra	<b>Phone</b> 630-715-9230
	<b>Address</b> 4 S. 020 Harter Rd	<b>Fax</b>
	Sugar Grove, IL. 60554	<b>Email</b> cbg169@aht.net

<b>3. Owner of record information:</b>	<b>Name</b>  SAME	<b>Phone</b>
	<b>Address</b>	<b>Fax</b>
		<b>Email</b>

**Zoning and Use Information:**

2030 Plan Land Use Designation of the property: Proposed open space

Current zoning of the property: F-1

Current use of the property: Residential

Proposed zoning of the property: Special Use in F District

Proposed use of the property: Boarding & Grooming Kennel for max 50 dogs 20 cats

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

See site plan attached. 40' x 88' Pole Bldg. w/

72' x 8' covered breezeway on south side of Bldg., a 8' x 20' covered breezeway (porch) on east end. 6' PVC fence

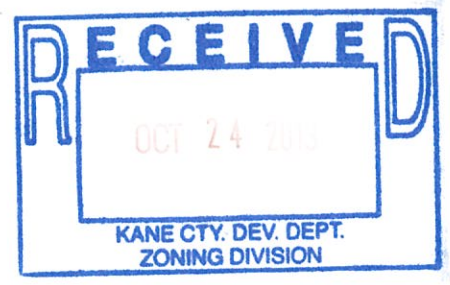
**Attachment Checklist** around south property lines

- Plat of Survey prepared by an Illinois Registered Land Surveyor.
- Legal description
- Completed Land Use Opinion application (Available in pdf form at \_\_\_\_\_), 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 \_\_\_\_\_) to be filed with the Illinois Department of Natural Resources.
- List of record owners of all property adjacent & adjoining to subject property
- Trust Disclosure (If applicable)
- Findings of Fact Sheet
- Application fee (make check payable to Kane County Development Department)

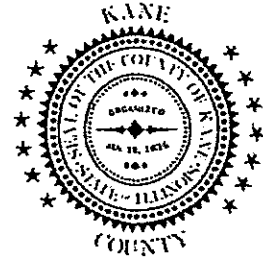
**I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.**

Sharon J. Sauer \_\_\_\_\_ 10-19-13 (previously submit on 5-31-13)  
Record Owner Date

Curt \_\_\_\_\_ 10-19-13  
Applicant or Authorized Agent Date



# Findings of Fact Sheet – Special Use



Boarding & Grooming Kennel 5-31-13  
 Special Use Request 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.

90% Indoor Care of Dogs & Cats. All care & cleaning of the facility will follow Dept. of Agriculture requirements. Facility & owner of property will be regulated & visited regularly according to Dept. of Ag. regulations. No animals will be allowed outside past 9:00pm or before 7am.

7. Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity.

Trees will be planted to deter noise. Building will deter noise. No animal (dog or cat) will be allowed outside past 9:00pm or before 7:00am. Proper waste removal will be regulated & adhered to by the Dept. of Ag. regulations. Surrounding land is forest preserve (reserve) - located in unincorporated Sugar Grove Township. Property is not visited regularly.

8. Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property.

All said building will be a far distance from surrounding property. No animals will be allowed near or on surrounding properties. No odor will be available. b/c proper disposal will be regulated by Dept. of Ag.

9. Will adequate utility, access roads, drainage and other necessary facilities be provided?

Please explain:

Yes - proper parking spaces x 3 - will be provided. A gravel driveway is already present. Utilities already exist on the property. Drainage will adhere to Dept. of health regulations.

10. Will adequate measures be provided for ingress and egress so designed to minimize the traffic and congestion? Please explain:

Minimal Use/Traffic & Adequate parking.  
Water Road is a local road that is not congested. Entering & exiting the driveway will not cause problems or any issues. Adequate space for turn around will be provided.

11. Will the special use conform to the regulations of the district in which it is located? Please explain:

Yes

**Special Use Request for Guerra-4S020 Harter Rd., Sugar Grove, 60554**

**Boarding, and Grooming Kennel**

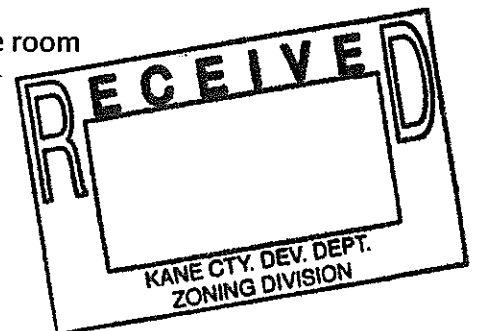
**It's Raining Cats and Dogs Pet Service**

**Phase 1**

1. 40' x 88' steel frame building with concrete floor which will include:
  - a. 20' x 20' reception room w/ in floor heating
  - b. 20' x 52' kennel room w/ in floor heating to hold 12 4'x6' kennels/runs with access to 4'x6' outdoor runs, 2 6' x 6' Suites, storage shelving,
  - c. 40' x 16' room on west end of building
  - d. 20' x 52' Indoor exercise area with ceiling mounted heater
  - e. 10' x 10' Feline room with stacked kennel units(picture of units is attached), climbing structure, w/ baseboard heat
  - f. 10' x 10' storage room
  - g. 4' x 8' utility room-wash basin, boiler, electric panel,
  - h. 10' x 20' Grooming room with 2 wash tubs, 2 grooming tables, 1 set of drying kennels, w/ baseboard heat
2. 6' privacy fence on the east, south, and west sides of the new proposed land location
3. 3 parking spaces on east end of building-one will be ADA
4. 8' x 20' covered porch-ADA
5. 8' x 72' covered breezeway with 12 outdoor runs for the 12 indoor/outdoor runs with concrete floor

**Phase 2**

1. 6' x 8' ADA bathroom with toilet and sink
2. Septic system to accommodate small bathroom
3. Forced air cooling system in entire building except exercise area
4. Addition of 3 suites 6' x 6' Additional dog runs and stackable dog kennel units to house 50 dogs total-picture of units is attached
5. Trees, shrubs, and landscaping as needed
6. Additional stacked kennel units to house 20 cats total in feline room





## ADDENDUM

Due to the right of way dedication requested by KDOT, we are also requesting a setback variance. KDOT is requesting a 45 foot right of way dedication. With the dedication, our house will be setback 26 feet from the new right of way line. We are requesting a 9 foot setback variance.

Carl  
Liam O'Shea

11-19-13

Fax 630-232-3411

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# KANE COUNTY

## DIVISION of TRANSPORTATION

Carl Schoedel, P.E.  
Director of Transportation  
County Engineer



41W011 Burlington Road  
St. Charles, IL 60175  
Phone: (630) 584-1170  
Fax: (630) 584-5265

### MEMORANDUM

TO: Brooke Biewer, Building & Zoning Division

FROM: Kurt E. Nika, KDOT

DATE: November 8, 2013

RE: Carrie Guerra, et ux  
Rezoning from F-1-Rural Residential to F-Farming with a Special Use for a Kennel  
PIN: 14-06-200-028

Staff from the Kane County Division of Transportation (KDOT) has reviewed the petition listed above. We offer the following comments and recommend one stipulation be placed on the approval:

#### Comments:

1. The site plan depicts the continued use of the existing Harter Road access. This access will continue to adequately serve the site.
2. The site plan shows a proposed dedication of 45 feet from the Harter Road centerline, consistent with previous discussions with KDOT. However, when dedicated, the building setback (from the right-of-way line) of the existing building will be reduced from 38.9 feet to 26.9 feet (non-conforming).

#### Recommended Stipulations:

1. Along the property's frontage to Harter Road, the following right-of-way shall be dedicated to the County of Kane by warranty deed: 45 feet from the centerline of Harter Road. This deed will be prepared by the petitioner for County review and approval. All preparation and recording costs will be borne by the petitioner. The deed shall be recorded by the petitioner within 6 months of the approval of the petition.

Cc: Carrie Guerra (via email)  
File



**Zoning Request Report**  
County of Kane

Kane County Development  
719 Batavia Ave  
Geneva, IL 60134  
Phone: (630) 232-3492  
Fax: (630) 232-3411

TO: Kane County Zoning Board Of Appeals  
Kane County Development Committee  
County Board Member District  
Janice Hill                      Carl Scheodel                      Mark VanKerkhoff                      Monica Meyers  
Petitioner

**PETITION NUMBER** 2013-4307 **Date** 11/21/2013

GENERAL INFORMATION

**APPLICANT:** CARRIE GUERRA

4S020 HARTER RD  
SUGAR GROVE 60554

**PURPOSE:** TO ESTABLISH A BOARDING AND BREEDING KENNEL AND FOR A SETBACK VARIANCE TO KEEP THE HOME IN COMPLIANCE BECAUSE OF A RIGHT OF WAY DEDICATION (26 FT; 9 FT VARIANCE)

**EXISTING ZONING:** F-1 - RURAL RESIDENTIAL;

**REQUESTED ACTION:** F DISTRICT FARMING WITH A SPECIAL USE FOR A KENNEL

**SIZE:** 0.56 ACRES

**LOCATION:** WEST SIDE OF HARTER RD., 500 FT NORTH OF FINLEY RD., SECTION 6, SUGAR GROVE TOWNSHIP. (4S020 HARTER RD.)

SURROUNDING	ZONING	USE
NORTH	F - FARMING;	OPEN SPACE;
SOUTH	F - FARMING;	OPEN SPACE;
EAST	F - FARMING;	AGRICULTURAL;
WEST	F - FARMING;	OPEN SPACE;

**EXISTING LAND USE:** RESIDENTIAL; AGRICULTURAL;

**LAND USE PLAN DESIGNATION:** AGRICULTURE

**ZONING HISTORY:** PROPERTY REZONED IN 1996 TO F-1

**APPLICABLE LAND USE REGULATION:** ARTICLE VIII, SECTION 8.1-2 O OF THE KANE COUNTY ZONING ORDINANCE



Carrie Guerra, et ux  
Rezoning from F-1 to F with a Special Use for a Kennel  
And Setback Variance

**Special Information:** Carrie Guerra owns and lives on 2.11 acres on Harter Rd. The property is surrounded on 3 sides by the Kane County Forest Preserve. Ms. Guerra would like to rezone and establish a special use on .56 acres for a kennel. Ms. Guerra breeds dogs but would also have dog and cat boarding at this facility. She would have a maximum of 50 dogs and 20 cats on the property. Indoor/outdoor runs will be provided along with indoor and outdoor exercise areas. Dogs will not be allowed outside before 7 a.m. and after 9 p.m.

**Analysis:** The Kane County 2040 Land Resource Management Plan designates this area as Agriculture. The property is surrounded by Forest Preserve and agricultural uses. The nearest residential use is approximately 700 feet away. The kennel will be constructed under the 2012 IBC. KDOT has requested 45 feet of Right of Way dedication along Harter Rd. The Guerra's have agreed to dedicate this but it will but their house over the 35' setback line. They are requesting a setback variance of 9' to accommodate the dedication. The Villages of Big Rock and Sugar Grove have no objection to the proposal.

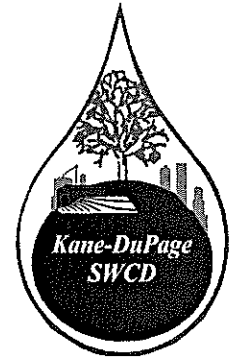
**Staff recommendation:** The Kane County Technical Staff recommends approval of the rezoning with a special use and variance request.

**Staff recommended Finding of Facts:**

1. Kennels are an established special use in the F District.
2. Surrounding land uses are primarily open space and agricultural.
3. The Villages of Big Rock and Sugar Grove have no objection to the proposal.
4. 90% of the activity on the property will be indoor.

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

# Kane – DuPage Soil & Water Conservation District



November 25, 2013

Kane County Building and Zoning Division  
Keith Berkhout, Zoning Planner  
719 South Batavia Avenue  
Geneva, IL 60134

We have assigned number 13-74 to a Land Use Opinion Application from:

Lionel Guerra Jr.  
4S020 Harter Road  
Sugar Grove, IL 60554

The site location is:

Sugar Grove  
Section 31 &14, Township 38N, 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 to you on or before \_\_\_\_\_

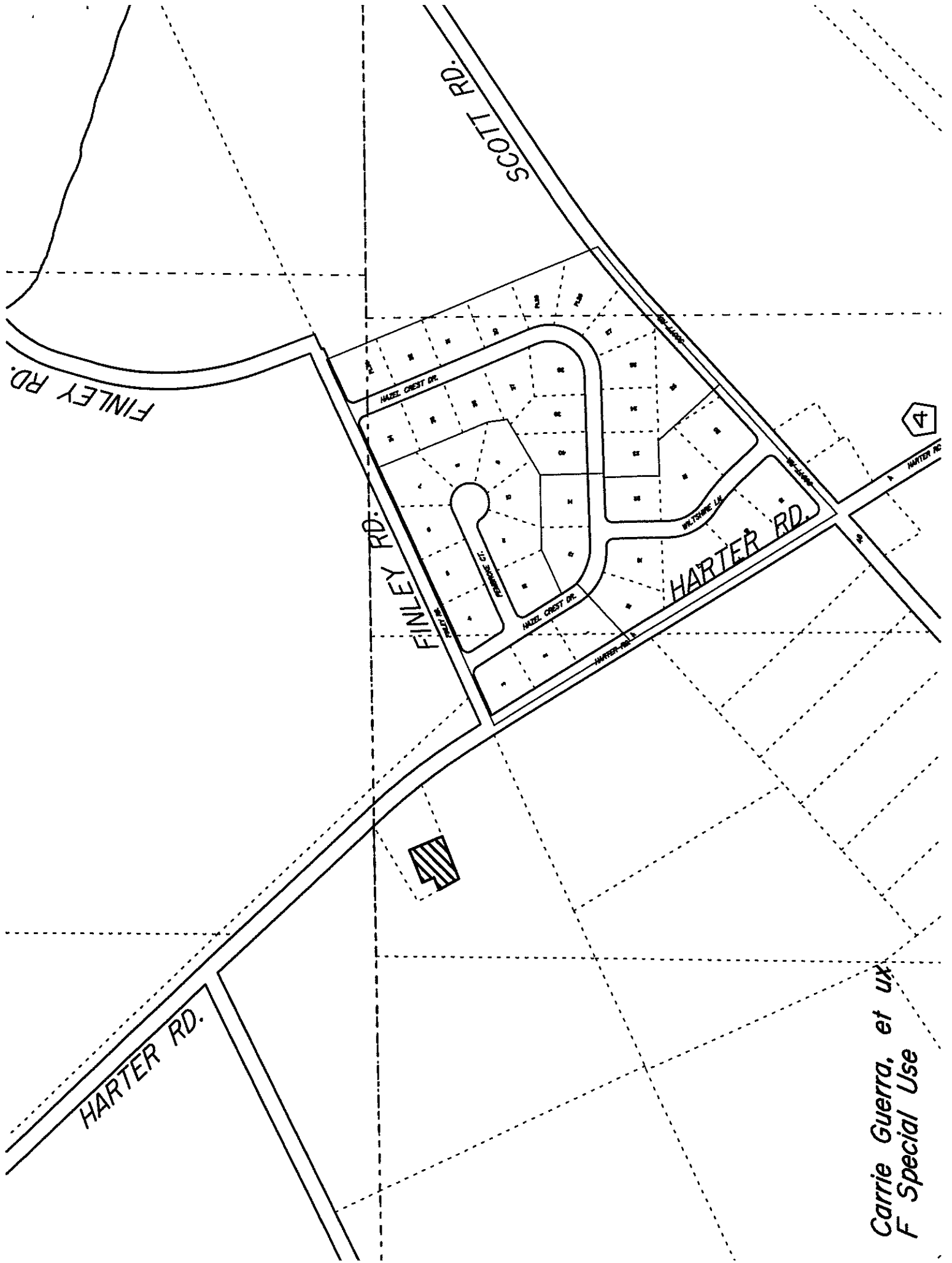
According to the information received, this proposed land use change will not have a substantial effect on natural resources. Therefore, no further action will be taken by the Soil and Water Conservation District Board.

A processing fee of \$55.00 has been retained

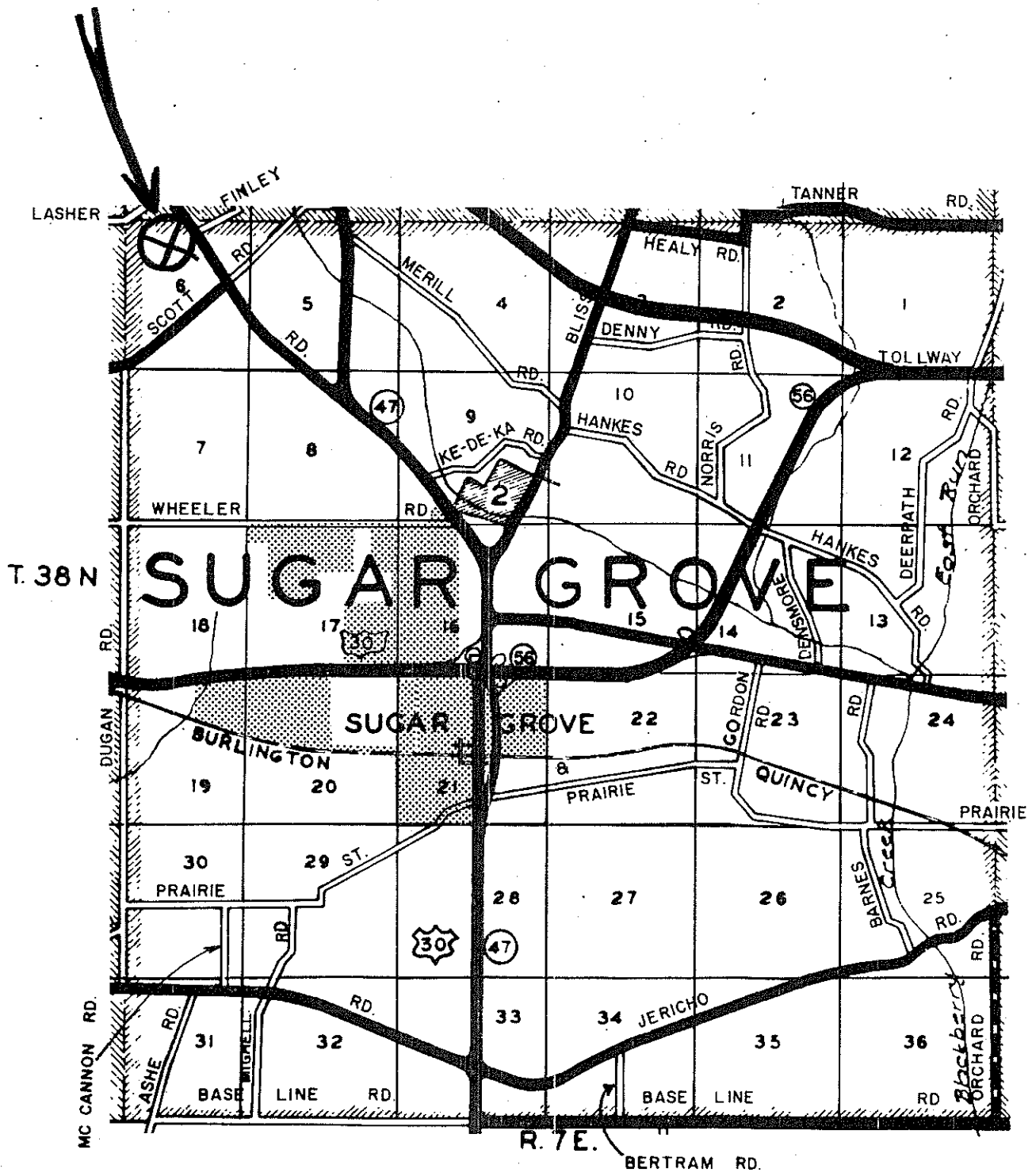
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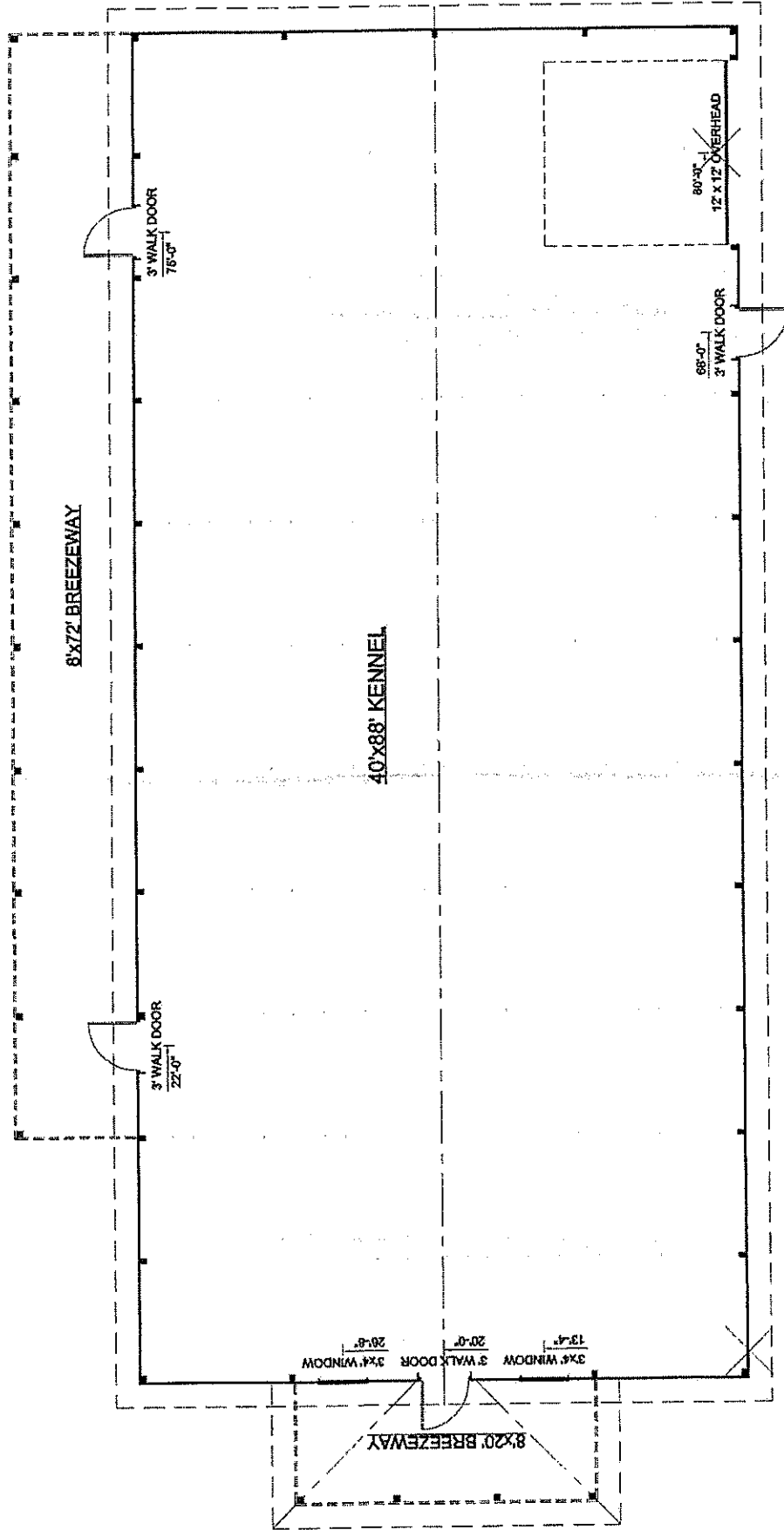
2315 Dean Street, Suite 100      St. Charles, Illinois 60175      (630) 584-7961x3      Fax: (630) 584-9534  
www.kanedupageswcd.org

All programs and services of the Kane-DuPage SWCD are offered on a nondiscriminatory basis, without regard to race, color, national origin, religion, sex, marital status, or handicap.



Carrie Guerra, et ux  
F Special Use





Customer Signature

GuerraSpecialUse2013final2New  
 GablebreezeChanged  
 45 W 020 Harter Road  
 Sugar Grove, IL 60554

WickBuildings.com

Date: 10-18-2013

Time: 5:13 AM

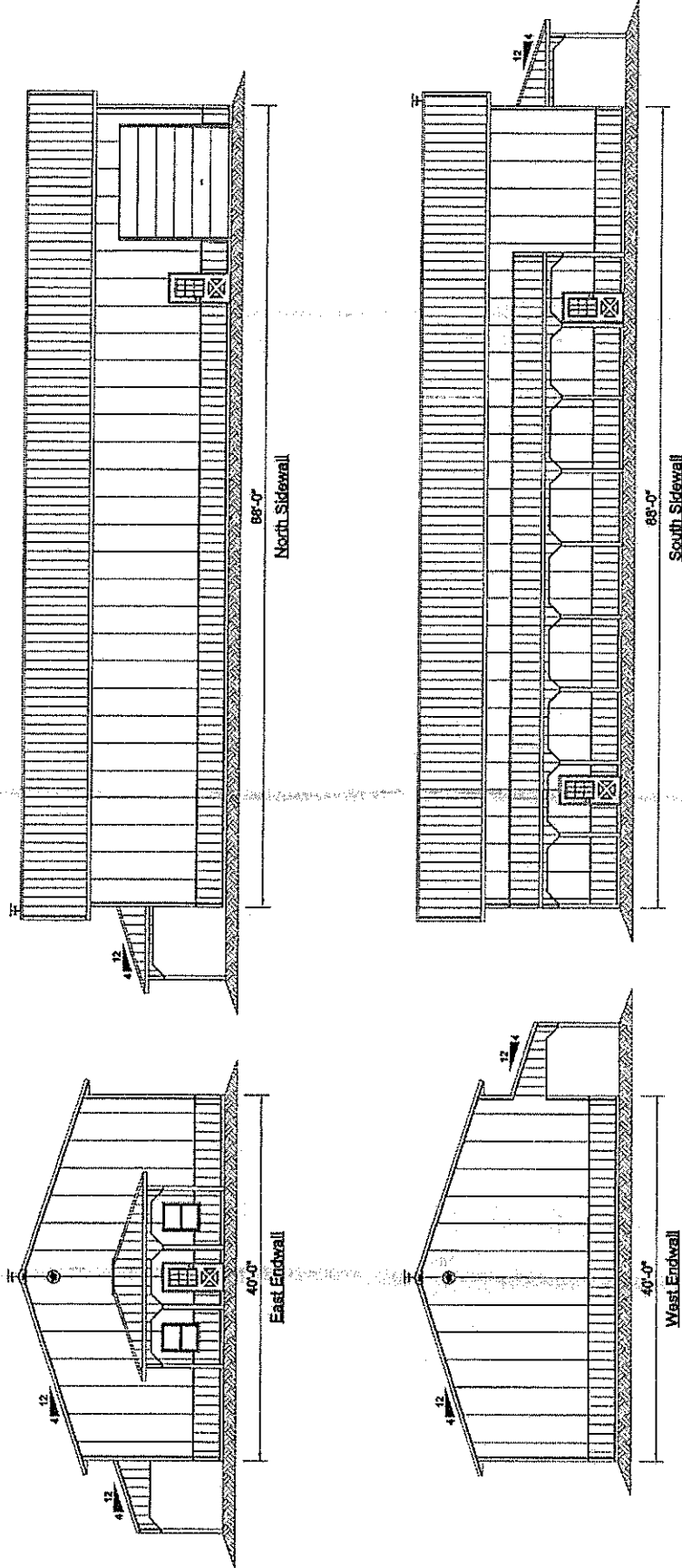
DO NOT SCALE

Wise Construction Services, Inc.  
 Joe Wisniewski  
 1107e S Bridge St  
 Yorkville, IL 60560

Kennel

40'-0" x 88'-0" x 14'-4" ICH





Customer Signature

GuerraSpecialUse2013final2New  
 GablebraezeCharged  
 45 W 020 Harter Road  
 Sugar Grove, IL 60554

Kennel  
 40'-0" x 88'-0" x 14'-4" ICH  
 DO NOT SCALE

WickBuildings.com  
 Date: 10-18-2013  
 Time: 5:13 AM  
 DO NOT SCALE

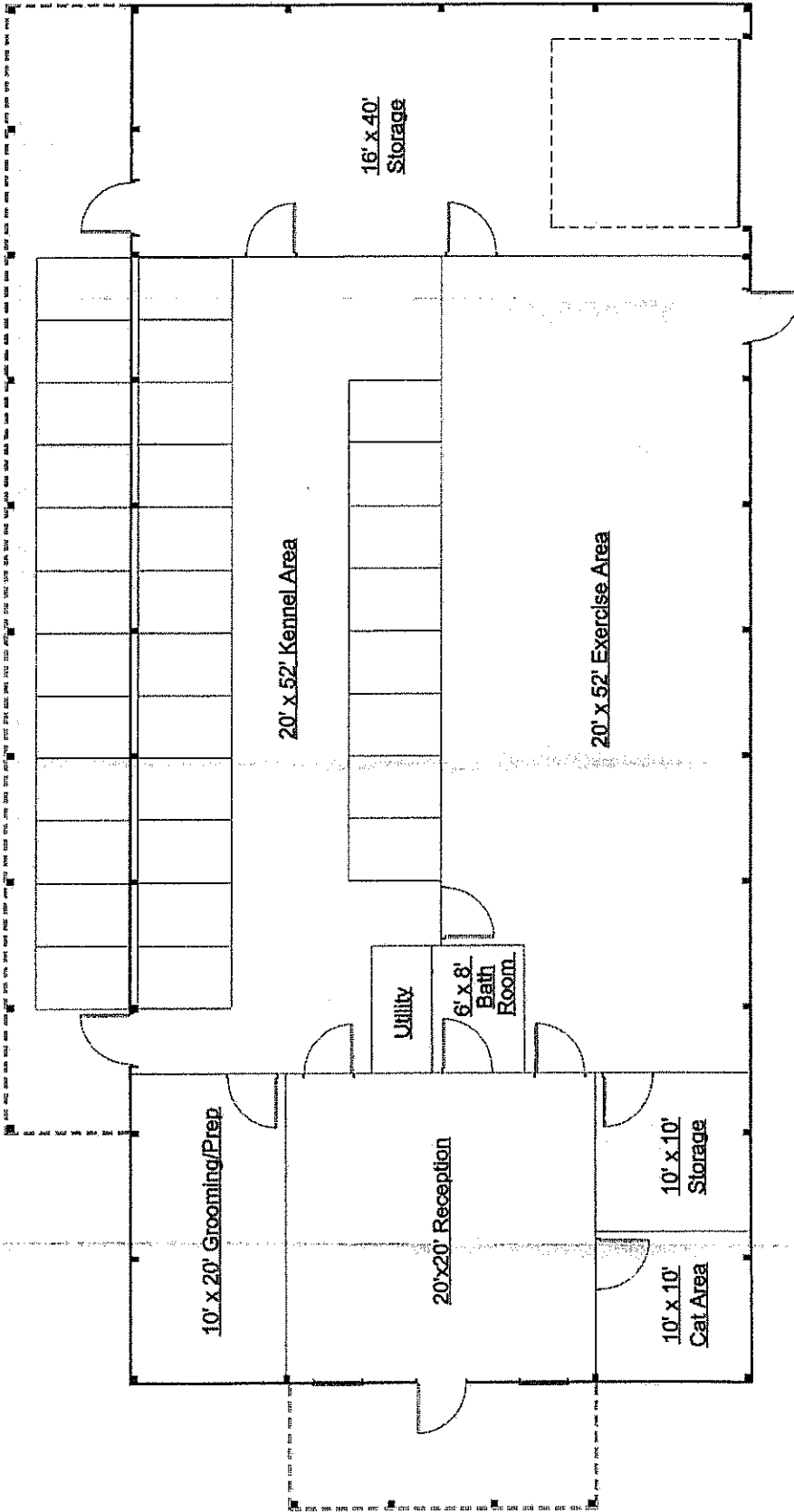
Wise Construction Services, Inc.  
 Joe Wisniewski  
 1107e S Bridge St  
 Yorkville, IL 60560



NORTH

40'x88' KENNEL

8'x72' BREEZEWAY



Customer Signature

GuerraSpecialUse2013final2New  
 GablebreezeChanged  
 45 W 020 Harter Road  
 Sugar Grove, IL 60554

Kennel

40'-0" x 88'-0" x 14'-4" ICH

WickBuildings.com

Date: 10-18-2013

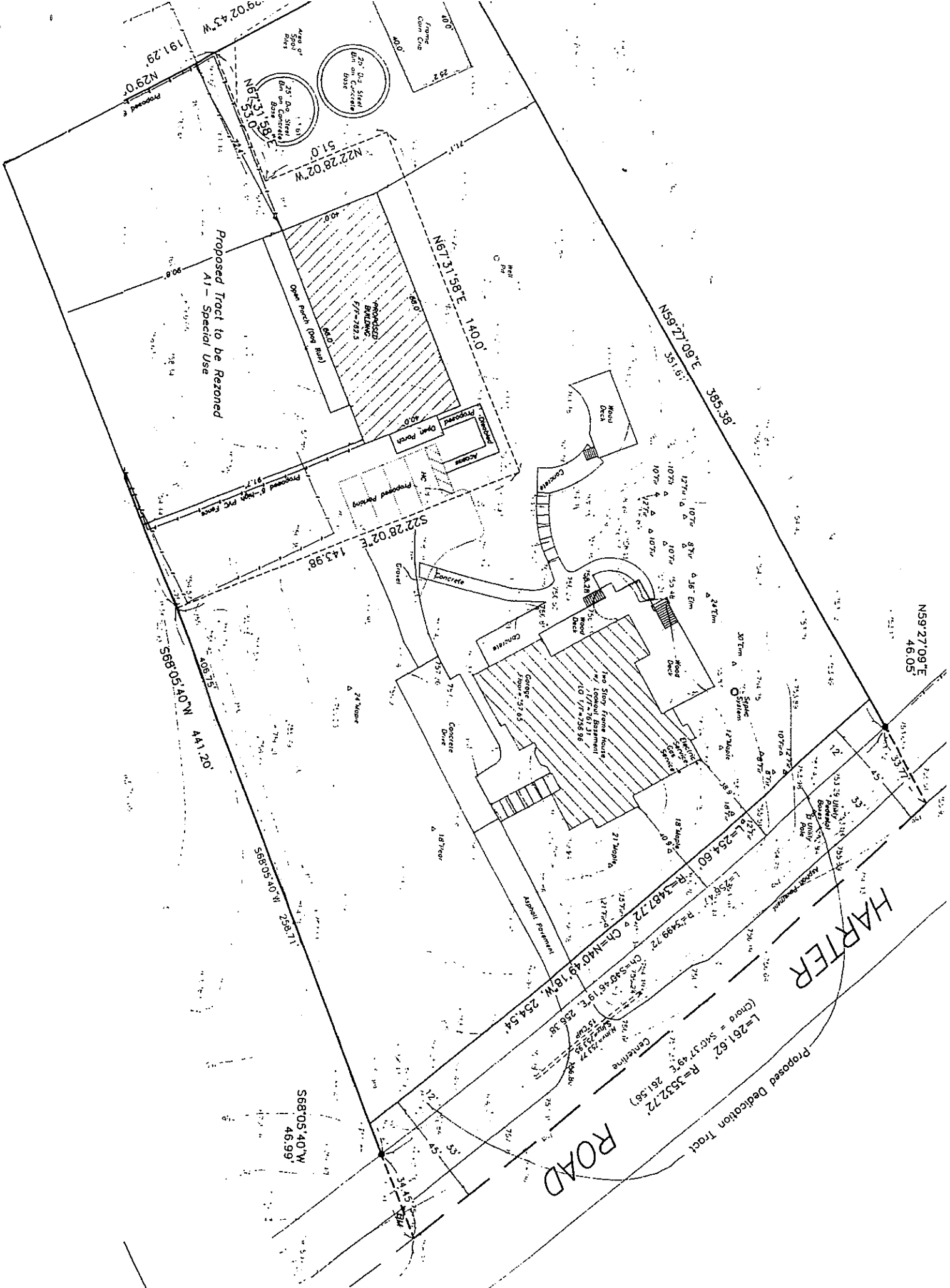
Time: 5:13 AM

DO NOT SCALE

Wise Construction Services, Inc.  
 Joe Wisniewski  
 1107e S Bridge St  
 Yorkville, IL 60550







191.29' N29.0°  
1902.43' W

Proposed Tract to be Rezoned  
A1 - Special Use

25' Dia. Steel  
Bin on Concrete  
Base

25' Dia. Steel  
Bin on Concrete  
Base

Proposed Building  
Footprint  
71'-22.5' x 140'-0'

Proposed Access  
40'-0'

Proposed Parking  
40'-0'

Proposed High PRC Fence  
91'-0'

Proposed Building  
Footprint  
71'-22.5' x 140'-0'

Proposed Access  
40'-0'

Proposed Parking  
40'-0'

Proposed High PRC Fence  
91'-0'

Proposed Building  
Footprint  
71'-22.5' x 140'-0'

Proposed Access  
40'-0'

Proposed Parking  
40'-0'

N59°27'09"E 385.38'  
351.6'

N59°27'09"E  
46.05'

S68°05'40"W 411.20'

S68°05'40"W 46.99'

S68°05'40"W 46.99'

ROAD

HARTER

Proposed Dedication Tract  
L=261.62 R=3532.72  
(Chord = 540.5749'E 261.56')

Ch=N40°49'18"W 254.54'  
R=3487.72  
R=5499.72  
Ch=S88°46'19"E 256.38'  
R=5499.72  
Ch=S88°46'19"E 256.38'  
R=5499.72

Centerline

Chord = 540.5749'E 261.56'

Centerline

Chord = 540.5749'E 261.56'

Centerline

Chord = 540.5749'E 261.56'

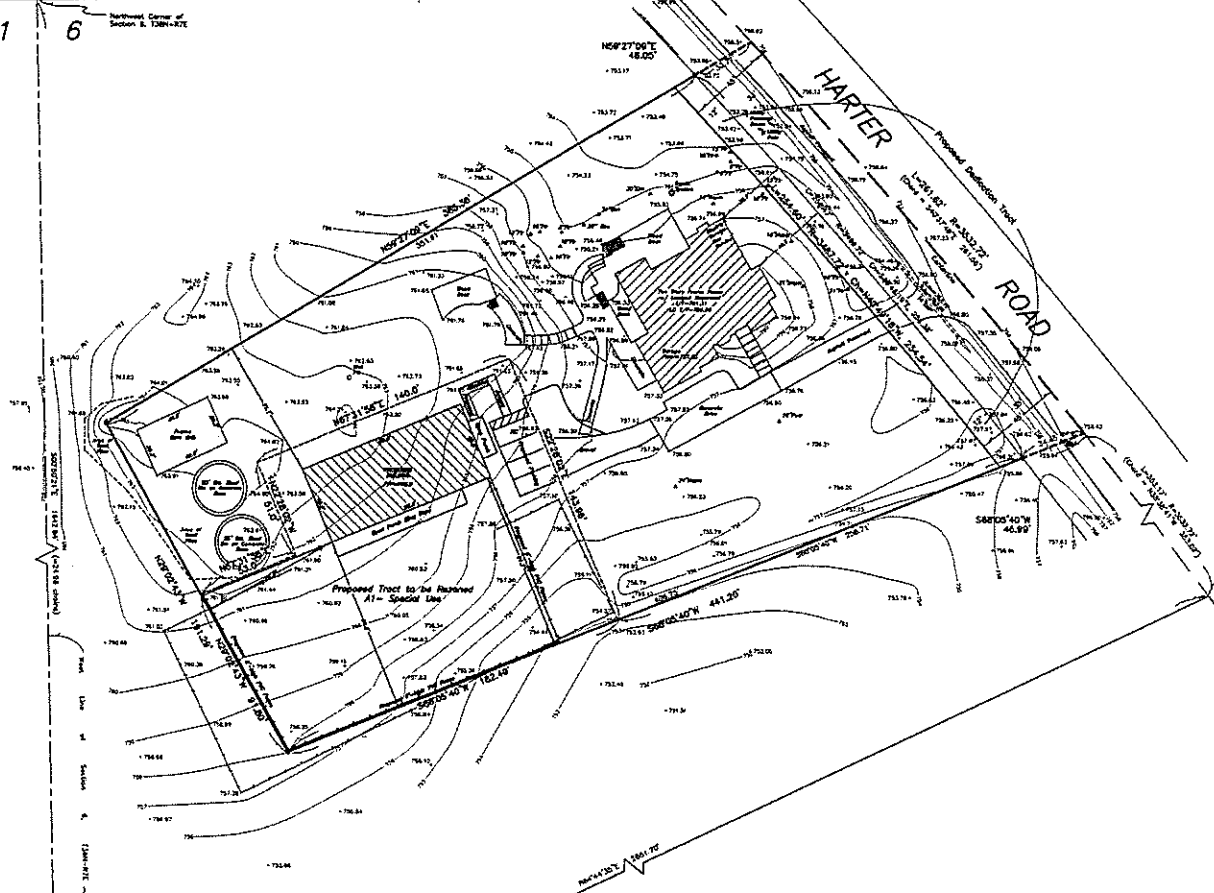
Centerline



# PLAT OF SURVEY OF PART OF SECTION 31, T39N-R7E AND PART OF SECTION 6, T38N-R7E, 3RD P.M. BLACKBERRY AND SUGAR GROVE TOWNSHIPS KANE COUNTY ILLINOIS

36 31

1 6



**LEGAL DESCRIPTION OF PARENT TRACT:**

That Part of Section 31, Township 39 North, Range 7 East of the Third Principal Meridian and Part of Section 6, Township 38 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Northwest Corner of said Section 6; thence South 00°50'21" East, along the West Line of said Section 6, 1642.84 feet (= 24.98 chains, record); thence North 84°44'35" East, 2851.70 feet to the centerline of Hartner Road; thence Northwesterly, along said centerline being a curve to the left having a radius of 3532.72 feet, a chord bearing of North 30°38'41" West and a chord distance of 353.02 feet, an arc distance of 353.17 feet for the point of beginning; thence South 68°02'40" West, 441.20 feet; thence North 29°02'43" West, 182.48 feet; thence North 07°27'09" East, 46.00 feet to the centerline of Hartner Road; thence Southwesterly, along said centerline being a curve to the right having a radius of 3532.72 feet, a chord bearing of South 40°37'49" East and a chord distance of 781.56 feet, an arc distance of 261.62 feet to the point of beginning in Kane County, Illinois, containing 2.1161 acres, more or less.

**LEGAL DESCRIPTION OF SPECIAL USE TRACT:**

That Part of Section 6, Township 38 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Northwest Corner of said Section 6; thence South 00°50'21" East, along the West Line of said Section 6, 1642.84 feet (= 24.98 chains, record); thence North 84°44'35" East, 2851.70 feet to the centerline of Hartner Road; thence Northwesterly, along said centerline being a curve to the left having a radius of 3532.72 feet, a chord bearing of North 30°38'41" West and a chord distance of 353.02 feet, an arc distance of 353.17 feet for the point of beginning; thence South 68°02'40" West, 182.48 feet; thence North 07°27'09" East, 46.00 feet to the centerline of Hartner Road; thence Southwesterly, along said centerline being a curve to the right having a radius of 3532.72 feet, a chord bearing of South 40°37'49" East and a chord distance of 781.56 feet, an arc distance of 261.62 feet to the point of beginning in Kane County, Illinois and containing 0.5660 acres.

**LEGAL DESCRIPTION OF DEDICATION TRACT:**

That Part of Section 31, Township 39 North, Range 7 East of the Third Principal Meridian and that Part of Section 6, Township 38 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Northwest Corner of said Section 6; thence South 00°50'21" East, along the West Line of said Section 6, 1642.84 feet (= 24.98 chains, record); thence North 84°44'35" East, 2851.70 feet to the centerline of Hartner Road; thence Northwesterly, along said centerline being a curve to the left having a radius of 3532.72 feet, a chord bearing of North 30°38'41" West and a chord distance of 353.02 feet, an arc distance of 353.17 feet for the point of beginning; thence South 68°02'40" West, 46.99 feet to a point on an arc which is 45.0 feet Southwesterly of and concentric with the centerline of Hartner Road; thence Northwesterly along a curve to the left (being concentric with said centerline) having a radius of 2487.72 feet, a chord bearing of North 40°38'10" West and a chord distance of 254.34 feet, an arc distance of 254.60 feet; thence North 07°27'09" East, 46.00 feet to said centerline of Hartner Road; thence Southwesterly along said centerline being a curve to the right having a radius of 3532.72 feet, a chord bearing of South 40°37'49" East and a chord distance of 781.56 feet, an arc distance of 261.62 feet to the point of beginning in Kane County, Illinois, containing 0.2646 acre (excepting therefrom, that part previously dedicated for road purposes).

**SCALE**  
1"=30'

• Indicates Iron Stake Found  
○ Indicates Iron Stake Set  
— — — — — Indicates Line of Fence  
- - - - - Indicates Spot Elevation  
--- --- --- Indicates Contour Elevation

**BENCHMARKS -- (NOV029)**  
BM -- P.K.M. in West Edge of Pavement at Southwest Corner of Property. Elevation = 757.96

**NOTE:** This property commonly known as 45020 Hartner Road.

PH 14-06-300-028



State of Illinois }  
County of Kendall } SS

I, Phillip D. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., state that I have surveyed and located the visible improvements upon the attached described tract as shown by the plat herein drawn which is a representation of said survey. This professional service conforms to the current Illinois minimum standards for a boundary survey.

Dated October 23, 2012 at Yorkville, Illinois

*Phillip D. Young*

Phillip D. Young  
Illinois Professional Land Surveyor No. 2678 (Expires 11/30/14)

JOB NO.	13156
JOB NAME	GUERRA
DWG FILE	13156
REVISION DATE	

**Phillip D. Young and Associates, Inc.**  
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

1107B South Bridge Street  
Yorkville, Illinois 60560  
Telephone (630)553-1580