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

PETITION NUMBER: 2014-4324  
Date: 09/24/2014  

GENERAL INFORMATION  

APPLICANT:  
CHRIS LANNERT  
THE LANNERT GROUP  
215 FULTON ST.  
GENEVA 60134  

PURPOSE:  
TO DIVIDE OFF TWO EXISTING RESIDENCES  

EXISTING ZONING:  
F - FARMING;  

REQUESTED ACTION:  
R-1 - ONE-FAMILY RESIDENTIAL;  

SIZE:  
2.00 ACRES  

LOCATION:  
WEST SIDE OF SLEEPY HOLLOW RD., 1/4 MILE N. OF HUNTELY RD., SECTION 16, DUNDEE TOWNSHIP (17N50' AND 17N50' SLEEPY HOLLOW RD.)  

SURROUNDING NORTH ZONING  
VILLAGE OF CARPENTERSVILLE  
RESIDENTIAL;  

SURROUNDING SOUTH USE  
F - FARMING;  
RESIDENTIAL;  

SURROUNDING EAST ZONING  
VILLAGE OF CARPENTERSVILLE  
RESIDENTIAL;  

SURROUNDING WEST ZONING  
VILLAGE OF CARPENTERSVILLE  
RESIDENTIAL;  

EXISTING LAND USE:  
RESIDENTIAL;  

LAND USE PLAN DESIGNATION:  
RURAL RESIDENTIAL  

ZONING HISTORY:  
NO PREVIOUS REQUEST FOR THIS SITE  

APPLICABLE LAND USE REGULATION:  
ARTICLE IX, SECTION 9.5-1 OF THE KANE COUNTY ZONING ORDINANCE
Patrick Shaw
Rezoning portions of the property from F to R-1 for two existing homes

**Special Information:** The petitioner is at the point in his life where he wishes to rezone the property for estate planning purposes and create separate parcels for two existing homes. About 10 years ago approximately 26 of the 28 acres were placed under a Open Lands covenant. This covenant prohibits any development as well as any removal of vegetation or changes to the property. The two existing homes were not included in the restricted area. The rezoning would separate the two existing homes from the protected area by creating separate parcels and zoning lots.

**Analysis:** The Kane County 2040 Land Resource Management Plan designates this area Rural Residential. This designation, allows for infill residential development on parcels with a one acre minimum, with a gross density of generally about two acres per dwelling unit. With the provisions of the existing land covenant the density of the property will be far below the minimum of this land use designation.

**Staff recommendation:** The Kane County Technical Staff recommends approval of the rezoning request.

**Staff recommended Finding of Facts:**

1. The existing residential use will not intensify.
2. The rezoning will preserve the existing residential use and will also allow the remainder of the property to be preserved in perpetuity.

**Attachments:**
- Location Map
- Township Map
- Petitioner’s finding of fact sheet
Zoning and Use Information:

2030 Plan Land Use Designation of the property: RURAL RESIDENTIAL
Current zoning of the property: FARMING
Current use of the property: TWO EXISTING HOME SITES
Proposed zoning of the property: R-1 FOR THE 1 ACRE PARCELS AROUND EACH EXISTING HOME
Proposed use of the property: CONTINUE AS EXISTING

If the proposed Map Amendment is approved, what improvements or construction is planned? (An accurate site plan may be required)
NONE—REMAIN UNCHANGED

PROPERTY RESTRICTED BY OPEN LANDS EASEMENT

Attachment Checklist

☑ Plat of Survey prepared by an Illinois Registered Land Surveyor.
☑ Legal description
☑ Completed Land Use Opinion application (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 www.dnr.state.il.us/orep/nrrec/aar.htm) 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.

[Signature] [Signature] 11 AUGUST 2014

Record Owner    Date
[Signature] [Signature] JULY 30 2014

Applicant or Authorized Agent Date
Findings of Fact Sheet – Rezoning

- 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.

CHRIS LANNERT  
The Lannert Group  
Name of Development/Applicant  

JULY 30 2014  
Date

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

   THE EXISTING AND PROPOSED USE OF THE SITE WILL REMAIN UNCHANGED – TWO HOMES SURROUND BY PROTECTED OPEN SPACE. ESTATE PLANNING ISSUES ARE THE ONLY MOTIVATING FORCE FOR THE REQUEST.

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

   THE EXISTING SUBDIVISION TO THE NORTH IS ZONED R-1 IN CARPENTERSVILLE. EAST, WEST, AND SOUTH IS ALL OPEN SPACE PROTECTED BY EASEMENT

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

   THE EXISTING HOMES WERE DEFINED ON ONE ACRE PARCELS. THE R-1 REZONING WILL AFFIRM THE EXISTING USE ON EACH LOT NOT POSSIBLE IN THE F ZONE (AOA)

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

   THERE IS NO ADDITIONAL TREND OF DEVELOPMENT IN THE AREA. THIS PROPERTY IS RESTRICTED BY AN EASEMENT TO OPEN LANDS FROM ANY FUTURE DEVELOPMENT. DUNDEE TOWNSHIP AND THE VILLAGE OF CARPENTERSVILLE CONTROL ALL THE LAND SURROUNDING THE PROPOSAL

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

   THE END RESULT WILL BE BETTER. THE CREATION OF TWO LOTS AND THE PROTECTION OF 2.4 ACRES OF OPEN SPACE ADJACENT TO THE TOWNSHIPS LAND WILL INCREASE THE NATURAL FEATURES IN THE AREA.