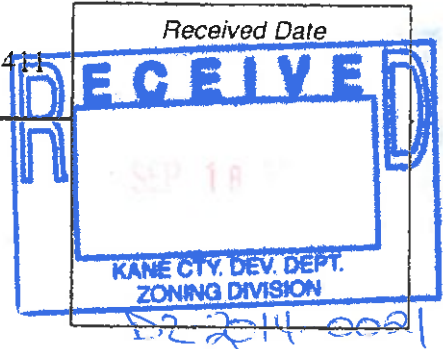


KANE COUNTY DEVELOPMENT DEPARTMENT
 Zoning Division, Kane County Government Center
 719 Batavia Avenue
 Geneva, Illinois 60134
 Office (630) 232-3492 Fax: (630) 232-3411



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.

1. Property Information:	Parcel Number (s): Part of 01-27-400-003
	Street Address (or common location if no address is assigned): 46W421 Route 72 Hampshire, IL 60140

2. Applicant Information:	Name Donald/and Joyce/Benchley	Phone (847) 683-2410
	Address A. Carol 46W421 Route 72	Fax
	Hampshire, IL 60140	Email c/o benchley@sbcglobal.net

3. Owner of record information:	Name Chicago Title Land Trust Company, Trustee of Trust No. 3440 dated January 28, 1978	Phone (312) 223-4410
	Address 10 So. LaSalle St. Suite 2750	Fax (312) 223-4139
	Chicago, IL 60603	Email ctltc@ctt.com

Zoning and Use Information:

2040

~~2030~~ Plan Land Use Designation of the property: Resource Management

Current zoning of the property: F District Farming

Current use of the property: Residential and ancillary uses thereto

Proposed zoning of the property: E-1

Proposed use of the property: Residential and ancillary uses thereto

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

No additional improvements currently planned.

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/nrrc/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.

Chicago Title Land Trust Company, Trustee of Trust No. 3440 dated January 28, 1978

X By: Kwabza 9-4-2014
Record Owner Date

Donald A. Benchley + Joyce Benchley 8-29-14
Applicant or Authorized Agent Donald/Benchley and Joyce/Benchley Date
Carol



This instrument is executed by the undersigned Land Trustee, not personally but solely as Trustee in the exercise of the power and authority conferred upon and vested in it as such Trustee. It is expressly understood and agreed that all the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee are undertaken by it solely in its capacity as Trustee and not personally. No personal liability or personal responsibility is assumed by or shall at any time be asserted or enforceable against the Trustee on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the Trustee in this instrument.

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.

Donald Benchley and Joyce Benchley
Name of Development/Applicant

8-29-14
Date

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

Current Residential use is consistent with residential use immediately north.
Property to west is zoned E-3. Property to east and south is farmland.
Proposed use is consistent with current use.

2. What are the zoning classifications of properties in the general area of the property in question?
- Property to north is within Village of Hampshire zone R-2. Property to west
is Kane County zoning E-3. Property to south and east is remaining tract
of applicant and is zoned Kane County F District.

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

Current residential use is permitted under F District zoning classification,
however, current zoning would not permit parcel subject to this application
being divided off and sold separately from the larger agriculturally zoned
tract.

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

Property to north has entirely been developed for residential purposes.
Property to west is zoned for estate residential use. Property to east and
south is agricultural or residential. Inquiry has been made with Hampshire
Village President, Jeff Magnussen, who did not have any concern with the
proposed E-1 zoning pursuant 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 Resource Management. Projected
use which is consistent with the current use of the land is compatible with
the 2040 Land Use Plan in that the existing low density rural residential
nature of such 5 acre parcel will continue the livable, sustainable and
healthy use of such land.



LEGAL DESCRIPTION

OF PROPERTY DESCRIBED AS:

That part of the Southeast Quarter of Section 27, Township 42 North, Range 6 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of said Southeast Quarter; thence North 89 degrees 59 minutes 23 seconds East along the North line thereof, 260.0 feet to the point of beginning; thence continuing North 89 degrees 59 minutes 23 seconds East along said North line 407.49 feet; thence South 0 degrees 07 minutes 21 seconds West and parallel with the West line of said Southeast Quarter, a distance of 585.35 feet; thence South 89 degrees 59 minutes 23 seconds West and parallel with the North line of said Southeast Quarter a distance of 407.49 feet; thence North 0 degrees 07 minutes 21 seconds East and parallel with the West line of said Southeast Quarter, a distance of 585.35 feet to the point of beginning, in Hampshire Township, Kane County, Illinois.





Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Pat Quinn, Governor
Marc Miller, Director

September 09, 2014

Keith A. Spong
Brady & Jensen
2425 Royal Boulevard
Elgin, IL 60123

RE: Benchley Rezoning Petition
Project Number(s): 1503695
County: Kane

Dear Applicant:

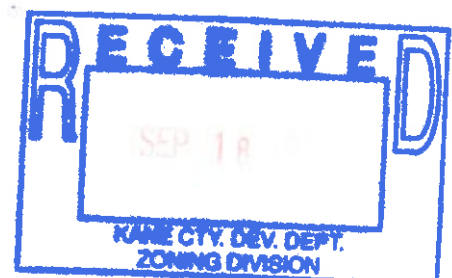
This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 is terminated.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project 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.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, 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, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

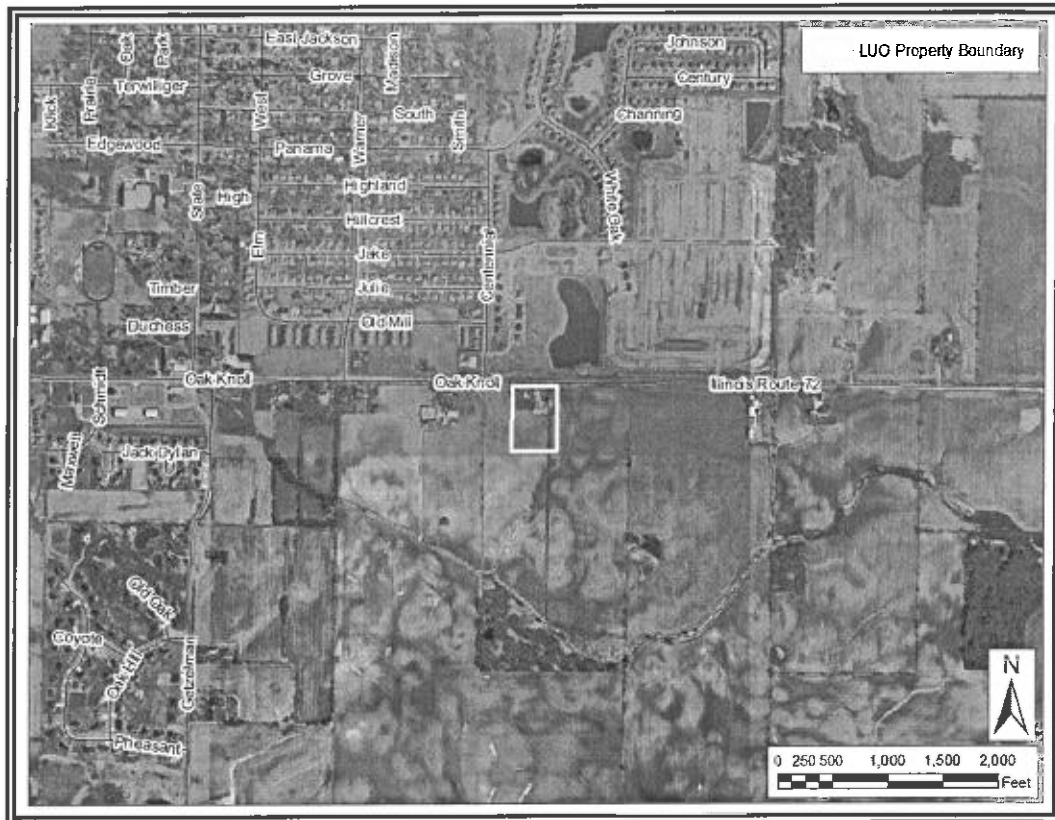
Please contact me if you have questions regarding this review.

Keith Shank
Division of Ecosystems and Environment
217-785-5500



**KANE-DUPAGE
SOIL AND WATER CONSERVATION DISTRICT**

**LAND USE OPINION
14-89**



October 6, 2014

**Prepared for:
Kane County**

**Petitioner:
Donald and Joyce Benchley
c/o Brady and Jensen, LLP
2425 Royal Boulevard
Elgin, IL 60123**

Petitioner: Donald and Joyce Benchley, c/o Brady and Jensen, LLP, 2425 Royal Boulevard, Elgin, IL 60123

Contact Person: Keith A. Spong, 847-289-3371

Unit of Government Responsible for Permits: Kane County

Acreage: 5.46

Location of Parcel: Section 27, Township 42 N, Range 6 E

Property Address/PIN#: 46W421 Route 72, Hampshire, IL 60140

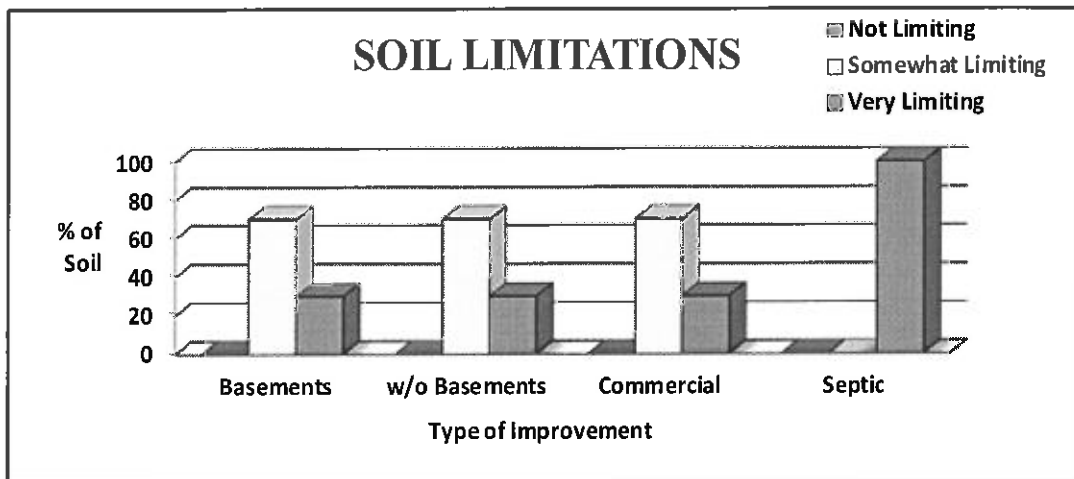
Existing Land Use: F Zoning

Surrounding Land Use: Rural Residential/Agriculture

Proposed Land Use: E-1 Zoning

Natural Resource Concerns

Soils Limitations: Soils at this site contain limitations for dwellings with basements, dwellings without basements, and small commercial buildings. See soils information pages, and attached soils tables. All information is from the Soil Survey of Kane County, Illinois.



Aquifer Sensitivity: According to Illinois State Geological Survey, Environmental Geology Report, published 1995, there are no aquifers that may be adversely impacted by this project. (See page 4 and Appendix A)

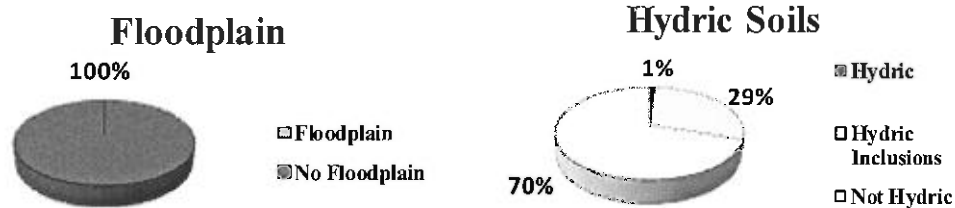
Septic Absorption Systems: The soils mapped on this site have limitations for the use of septic absorption systems. (See page 5 for more information)

Prime Farmland: Prime farmland is an important resource for Kane County. Each soil type is assigned a rating, which is then used to determine the soils portion of the LESA score for the site. Sites with a LE score of 26-33 or greater are considered to have high value farmland soils. This site has a score of 27 on the LE portion of the LESA farmland evaluation system, placing it within the definition of high value soils. (See Page 5 for more information.)

Wetlands: The National Wetland Inventory map and the ADID wetland map do not identify wetland areas on this site. **In the event that any indications of wetlands are identified on this site during the proposed land use change, a wetland delineation specialist who is recognized by the U.S. Army Corps of Engineers should determine the exact boundaries and value of any wetlands.** (See page 5 for more wetland information.)

Floodplain: There are no floodplain areas identified on this site. (See page 7)

Soil Data: There are hydric soils and soils with hydric inclusions identified on this site. Hydric soils and soils with hydric inclusions may be prone to ponding. The soil data from SSURGO (or NASIS) is part of a national dataset. The hydric rating used in this report has been modified to reflect local interpretations with guidance from the Area Soil Scientist.



Stormwater: The District encourages the use of on-site detention for stormwater runoff, and recommends the use of a 0.10cfs/acre release rate for on-site detention ponds. (See page 9 for more information concerning stormwater planning on this site.)

Sediment and Erosion Control: Development on this site should include a sedimentation and erosion control plan. (See page 11)

Woodlands: The District encourages the preservation of native woodland species. (See page 11)

NPDES Permits: An NPDES (National Pollution Discharge Elimination System) permit is required by the Illinois EPA for all construction sites over 1 acre. (See page 12)

LAND USE OPINION

Land Use Opinion: This site contains the following concerns: **Soil Limitations, Septic Limitations, LESA – Prime Farmland, Soil Erosion and Sediment Control, and Stormwater Management.** Based on the information in this report, it is the opinion of the Kane-DuPage Soil and Water Conservation District Board that this site may not be suited for the proposed use unless the previously mentioned concerns are addressed.

Township of Hampshire

County Of Kane

State Of Illinois

170 Mill Ave
Hampshire, IL 60140
847-683-4480

Jody Remakel
Township Supervisor

Stan Walker
Highway Commissioner

Rose Letheby
Township Assessor

Lori Marwig
Township Clerk

Evelyn Bicknese
Trustee

Carl Brooks
Trustee

Steven Gustafson
Trustee

Roger Paddock
Trustee

October 15, 2014

Brooke Biewer,
Building and Zoning Division
County Government Center
719 Batavia Ave
Geneva, IL 60134

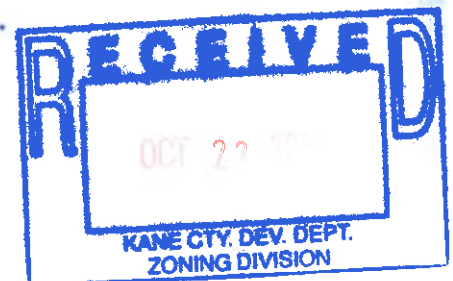
Dear Brooke Biewer,

The Hampshire Township Board of Trustees met on October 14, 2014 and reviewed the petition request for Rezoning for Donald Benchley 46W421 Route 72, Hampshire, IL 60140 dated September 22, 2014. They have requested I advise you that they reviewed the request and have no objection.

Sincerely,



Lori Marwig
Hampshire Township Clerk



Chicago Title Land Trust #3440 (Donald Benchley, et ux)
Rezoning portion of property from F to E-1

Special Information: The petitioners are in the process of settling their parents estate. They wish to split off the farmstead from the surrounding farmland so it can be sold off separately. The remaining farmland would remain in agricultural use.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Resource Management Area. Under the 2030 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 recommendation: The Kane County Technical Staff recommends approval of the rezoning request.

Staff recommended Finding of Facts:

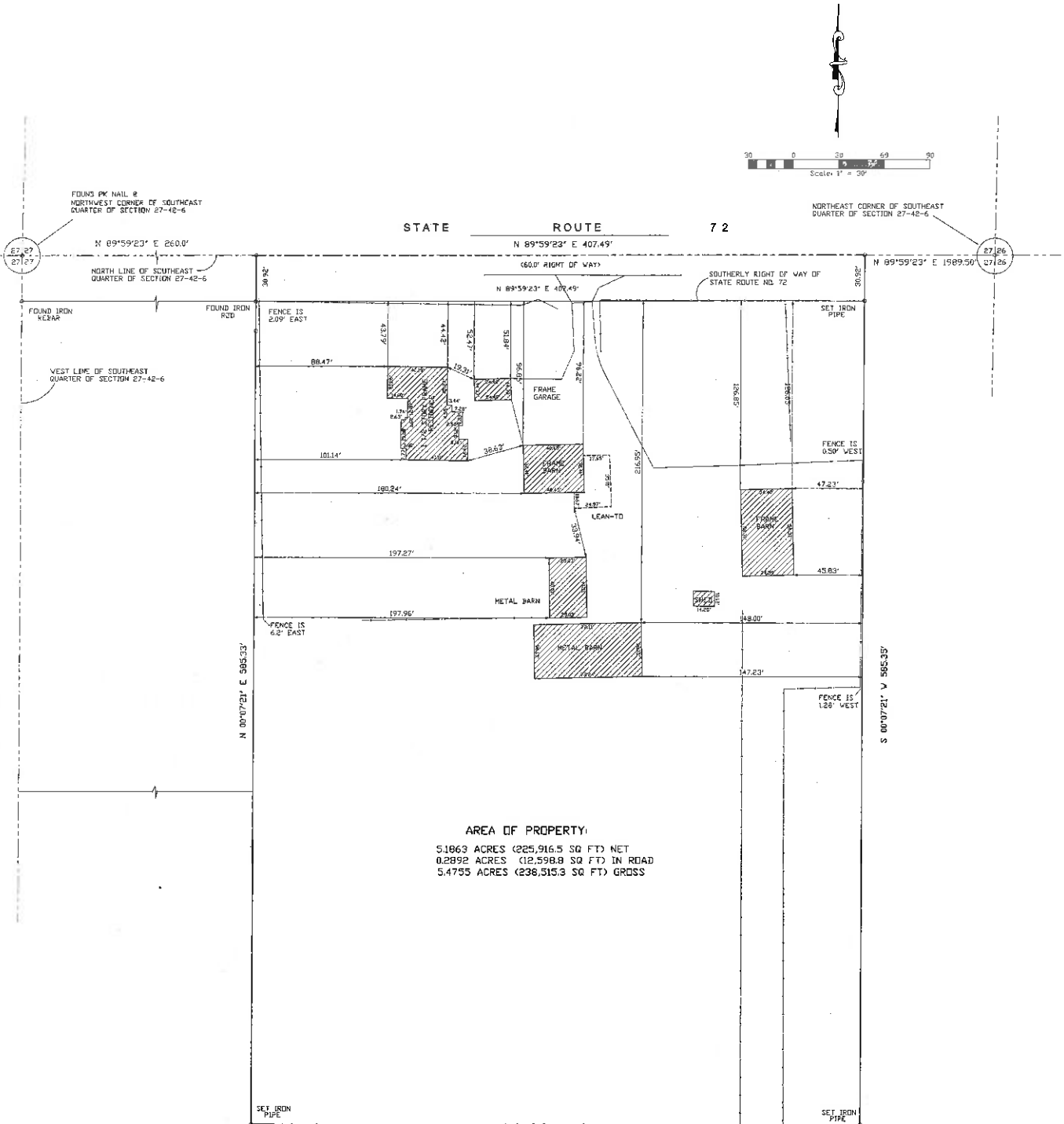
1. The rezoning will allow the existing farmette to be split off from the surrounding farmland.
2. The existing residential use will not intensify.

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

Alan J. Coulson, P.C. PROFESSIONAL LAND SURVEYORS PLAT OF SURVEY

OF PROPERTY DESCRIBED AS:

That part of the Southeast Quarter of Section 27, Township 42 North, Range 6 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of said Southeast Quarter; thence North 89 degrees 59 minutes 23 seconds East along the North line thereof, 260.0 feet to the point of beginning; thence continuing North 89 degrees 59 minutes 23 seconds East along said North line 407.49 feet; thence South 0 degrees 07 minutes 21 seconds West and parallel with the West line of said Southeast Quarter, a distance of 585.35 feet; thence South 89 degrees 59 minutes 23 seconds West and parallel with the North line of said Southeast Quarter a distance of 407.49 feet; thence North 0 degrees 07 minutes 21 seconds East and parallel with the West line of said Southeast Quarter, a distance of 585.35 feet to the point of beginning, in Hampshire Township, Kane County, Illinois.



AREA OF PROPERTY:

5.1863 ACRES (225,916.5 SQ FT) NET
0.2892 ACRES (12,598.8 SQ FT) IN ROAD
5.4755 ACRES (238,515.3 SQ FT) GROSS

STATE OF ILLINOIS }
COUNTY OF KANE } ss: *Michael Smith*

I hereby certify that I have surveyed the property described in the above caption according to the official record, and that the above plat is a true and correct representation of said survey.

Alan J. Coulson
Charles J. Hill, Professional Land Surveyor No. 35-2700
My license expires 11/30/10

Any discrepancy in measurement should be promptly reported to the surveyor for explanation or correction.

WE DO NOT CERTIFY AS TO THE LOCATION OF UNDERGROUND UTILITIES OR UNDERGROUND IMPROVEMENTS.

FIELD WORK COMPLETED: *April 17, 2014*

THIS SURVEY IS VALID ONLY WITH EMBOSSED SEAL.

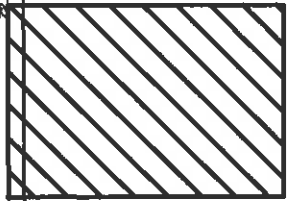
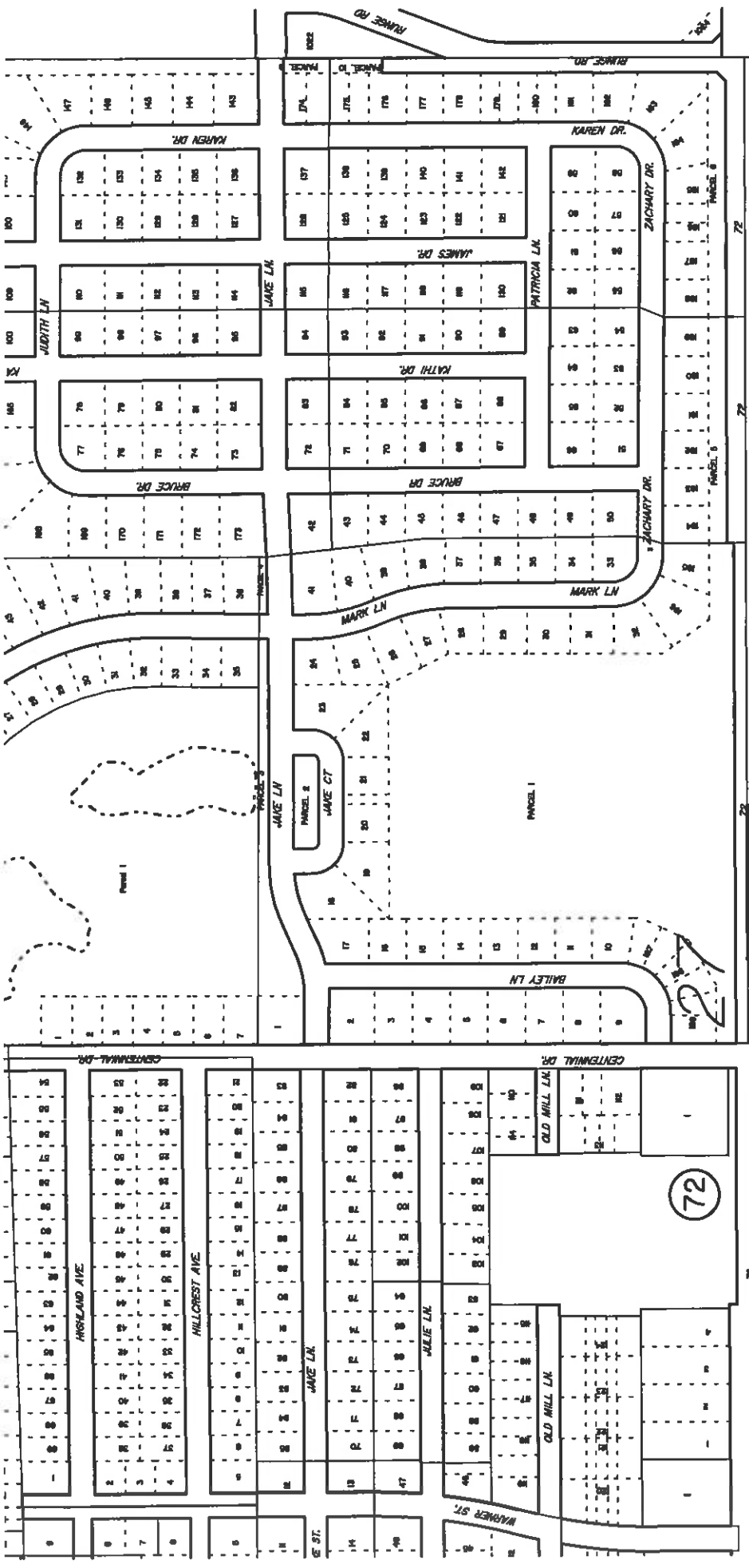
This professional service conforms to the current Illinois minimum standards for a boundary survey.

Professional Design Firm Land Surveying Corporation, License No. 184-002883

Alan J. Coulson, P.C.
PROFESSIONAL LAND SURVEYORS
205 W. Main St., West Dundee, Illinois 60118
Phone: (847) 426-2911 Fax: (847) 426-8074

Books: *114 20'*
Drawings: *WATER SPRING*
Reports: *---*
Plans: *---*
Others: *COBACON*

Compare the description on this plat with deed. Refer to deed for easements and building lines.

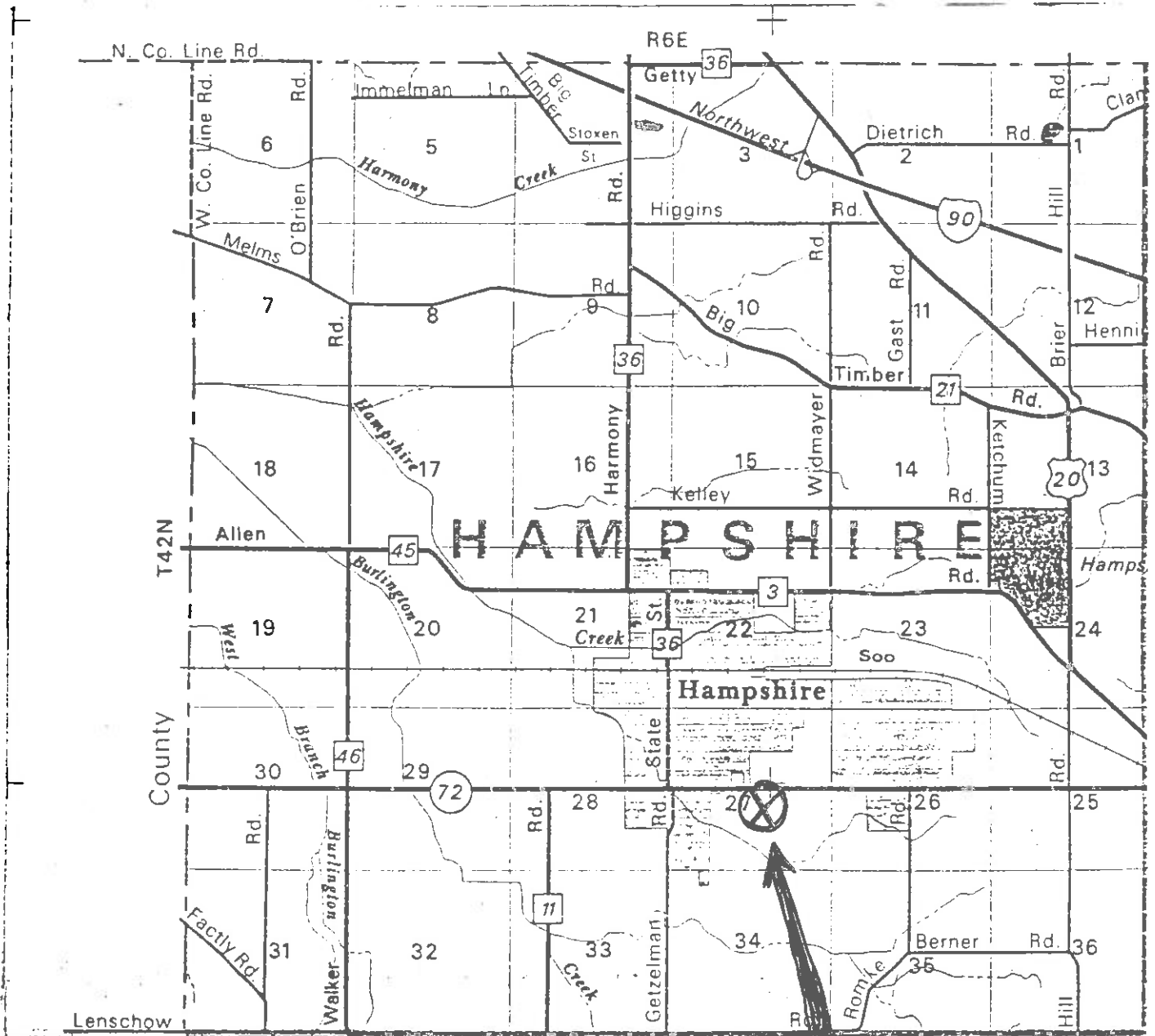


Donald Benchley, et ux

HAMPSHIRE twp.

T.42 N. - R.6 E

map 1



1 MILE