TO: Kane County Zoning Board Of Appeals  
Kane County Development Committee  
County Board Member District  
Janice Hill  
Petitioner

Carl Schoedel  
Mark VanKerkhoff  
Monica Meyers

PETITION NUMBER: 2015-4350  
Date: 05/26/2015

GENERAL INFORMATION

APPLICANT: ZIMBEROFF, JASON J & JODY C

1217 BECKMAN LN  
BATAVIA 605103389

PURPOSE: REZONE THE EXISTING RESIDENTIAL PROPERTY TO BRING IT INTO CONFORMANCE WITH THE KANE COUNTY ZONING ORDINANCE

EXISTING ZONING: F - FARMING;

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

SIZE: 2.50 ACRES

LOCATION: 2S483 RADDANT ROAD, SECTION 26, BATAVIA TOWNSHIP (12-26-278-030, 12-26-426-031)

SURROUNDING ZONING

NORTH  CITY OF BATAVIA  USE  RESIDENTIAL;

SOUTH  F - FARMING;

EAST  CITY OF BATAVIA  USE  RESIDENTIAL;

WEST  CITY OF BATAVIA  USE  RESIDENTIAL;

EXISTING LAND USE: RESIDENTIAL;

LAND USE PLAN DESIGNATION: URBAN NEIGHBORHOODS/MIXED USE INFILL

ZONING HISTORY: NO PREVIOUS REQUESTS FOR THIS PROPERTY

APPLICABLE LAND USE REGULATION: ARTICLE IX, SECTION 9.5 OF THE KANE COUNTY ZONING ORDINANCE
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.

Name of Development/Applicant: Jason & Judy Zimbersoff
Date: March 11, 2015

1. How does your proposed use relate to the existing uses of property within the general area of the property in question?
   - The property has been, and will continue, to be used as a residence.
   - The surrounding area should not notice any change.

2. What are the zoning classifications of properties in the general area of the property in question?
   - Most of surrounding area is either annexed into Batavia already, or unincorporated residential property.

3. How does the suitability of the property in question relate to the uses permitted under the existing zoning classification?
   - Property is currently zoned Farm but is too small to be used as a farm.
   - Change to R1 residential zoning will bring it into conformance with how it is already being used.

4. What is the trend of development, if any, in the general area of the property in question?
   - Development has mostly ceased as most land in the area is already developed as residential property.

5. How does the projected use of the property, relate to the Kane County 2040 Land Use Plan?
   - We are asking zoning to be changed to residential and plan calls for land to be used as "rural residential." This should agree with the plan.
May 26, 2015

Jason Zimberoff
Rezoning from F to E2-A

Special Information: The existing home was constructed in 1958. The previous owner sold off the eastern third of the property in 1995 which was annexed into the City of Batavia and developed into residential parcels. This sale of property rendered the property in violation of the F-Farming District for residential use. The petitioner and current owner of the property lives in one of the three “new” parcels that were created in the annexation. He brought the property to fix up and rent out. Since his current home backs to this property he was interested in owning the property to make sure it was properly restored and maintained.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Urban Neighborhood/Mixed Use Infill. Estate zoning is not typically recommended in this jurisdiction. However, to eliminate the concerns of the City of Batavia about the potential for a second home to someday be constructed on the property, the original rezoning request was amended from R-1 District One Family Residential to E2-A District Estate Residential. * It should be noted the current owner has stated he never had any plans for a second home, he just wanted to bring the property into conformance so he could apply for building permits to restore the home.

Findings of Fact:
1. The rezoning would bring the existing residential use into conformance with the Kane County Zoning Ordinance.

Attachments: Location Map
Township Map