Zoning Request Report
County of Kane

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 2016-4410

GENERAL INFORMATION

APPLICANT: DEVELOPMENT PROPERTIES, INC
JOHN THORNHILL
44 WHITE OAK CIRCLE
ST. CHARLES 60174

PURPOSE: REZONE FAMILY PROPERTY TO ALLOW FOR NEW RESIDENTIAL PARCEL ON SOUTH SIDE OF GREEN ROAD AND REZONE THE PROPERTY NORTH OF GREEN ROAD TO ALLOW TO SALE A PORTION OF THE PROPERTY TO THE NEIGHBOR TO THE WEST. AS WELL AS ONE FUTURE HOME ON THE EASTERN PORTION.

EXISTING ZONING: F - FARMING, F-1 - RURAL RESIDENTIAL;

REQUESTED ACTION: F-1 - RURAL RESIDENTIAL, E-1 - ESTATE RESIDENTIAL, F - FARMING;

SIZE: 20.96 ACRES

LOCATION: ON THE NORTH AND SOUTH SIDE OF GREEN ROAD IN THE IMMEDIATE AREA OF 2S230 GREEN ROAD, SECTION 29, BLACKBERRY TOWNSHIP (11-29-200-033, 042, 043, 044 AND 045)

SURROUNDING ZONING:
NORTH: FOREST PRESERVE
SOUTH: F - FARMING;
EAST: F - FARMING; FOREST PRESERVE
WEST: F-1 - RURAL RESIDENTIAL; F - FARMING;

EXISTING LAND USE: RESIDENTIAL;

LAND USE PLAN DESIGNATION: NORTH OF GREEN ROAD - COUNTRYSIDE ESTATE RESIDENTIAL/SOUTH SIDE OF GREEN ROAD - AGRICULTURAL.

ZONING HISTORY: THE NORTHERN PORTION OF THE PROPERTY WAS REZONED FROM F TO F-1 IN 1993

APPLICABLE LAND USE REGULATION: ARTICLE VIII, SECTION 8.1, SECTION 8.2, AND ARTICLE IX, SECTION 9.1 OF THE KANE COUNTY ZONING ORDINANCE.
Thomas Gould  
Rezoning from F to F-1

**Special Information:** The Gould family has lived in this area for many years. For much of that time they operated an apple orchard. The petition is seeking to reconfigure the use of their property. The family owns 2 parcels on the south side of Green Road. They are seeking to combine them and rezone them from F to F-1 to allow a single family home to be built on the 3.5 acre property. On the north side of Green Road is a 17-plus acre parcel that is currently zoned F-1. The petitioner is seeking to rezone the western 6.7 acres back to F so that it can be sold to the neighboring property owner to the west who is seeking to add to his existing property. The rezoning back to F would ensure this would not be a separate, buildable parcel. The petitioner is also seeking a rezoning from F-1 to E-1 on the eastern 10.7 acres. This would allow for a future division of this property into two residential parcels, one of which would accommodate the existing home.

**Analysis:** The Kane County 2040 Land Resource Management Plan designates the area south of Green Road as Agriculture. The Plan recognizes that not all land in this area is suitable for farming and that some land can be used for farmsteads and very low density residential uses. The area for the home is has not been farmed and the remaining property contains the remnants of the family apple tree orchard. The Kane County 2040 Land Resource Management Plan designates the area north of Green Road as Countryside Estate/Residential. The gross density should not generally exceed an average of one dwelling unit per four acres of land.

**Staff recommended Finding of Facts:**

1. No farmland will be taken out of production.

Attachments:  
Location Map  
Township Map  
Petitioner’s finding of fact sheet
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.

Gould Rezoning to F, F1 & E1 Districts
Name of Development/Applicant

November 7, 2016
Date

1. How does your proposed use relate to the existing uses of property within the general area of the property in question? There will be no changes that would be inconsistent with the present or surrounding land uses.

2. What are the zoning classifications of properties in the general area of the property in question? F District-Farming predominates to the south & east but part of subject property is F1 District-Rural Residential and F District-Farming: Open Space is to the north and east; R1 is approximately 400' to the west.

3. How does the suitability of the property in question relate to the uses permitted under the existing zoning classification? The size of the subject property, which includes the personal residence and outbuildings for an apple cider mill operation of the petitioner, is too small to conduct a traditional agricultural enterprise for which the F District is intended.

4. What is the trend of development, if any, in the general area of the property in question? There has been no perceptible development in the immediate area, except for acquisition of part of petitioner's family’s land for Forest Preserve about 25 years ago.

5. How does the projected use of the property, relate to the Kane County 2040 Plan? The proposed re-classification and use is compatible with the 2040 Plan since it will generally perpetuate existing permitted uses and will take no land out of production for row crop farming. The 2040 Plan advocates Countryside/Estate-Residential and Agriculture north and south, respectively, of Green Road.