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 2017-4414

Date 01/31/2017

GENERAL INFORMATION

APPLICANT: STASON LUDWIG

45516 FLORENCE ROAD

PURPOSE: REZONE A SOUTHWEST PORTION OF THE PROPERTY TO ALLOW ONE OF TWO THE
EXISTING HOMES TO BE SPLIT OFF FROM THE PROPERTY

EXISTING ZONING: F - FARMING;

REQUESTED ACTION: F-1 - RURAL RESIDENTIAL;

SIZE: 1.02 ACRES

LOCATION: 1N557 POULEY ROAD, SECTION 4, BLACKBERRY TOWNSHIP (11-04-200-005)

SURROUNDING ZONING
 NORTH F - FARMING; USE
 SOUTH F - FARMING; AGRICULTURAL;
 EAST F - FARMING; AGRICULTURAL;
 WEST VILLAGE OF ELBURN AGRICULTURAL;

EXISTING LAND USE: AGRICULTURAL, RESIDENTIAL;

LAND USE PLAN DESIGNATION: PROPOSED OPEN SPACE/AGRICULTURAL

ZONING HISTORY: NO PREVIOUS REQUESTS FOR THIS PARCEL

APPLICABLE LAND USE REGULATION: ARTICLE VIII, SECTION 8.2 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

Date

1. How does your proposed use relate to the existing uses of property within the general area of the property in question?
The property will remain the same, the only difference will be is that the homes and building will no longer be connected to the surrounding field.

2. What are the zoning classifications of properties in the general area of the property in question?
Rural residential, agriculture, proposed open space, resource management

3. How does the suitability of the property in question relate to the uses permitted under the existing zoning classification?
Under the existing zoning the house and buildings cannot be sold separately from the surrounding field without being rezoned to F1 rural residential.

4. What is the trend of development, if any, in the general area of the property in question?
The area around the property is starting to get more development with a new train station being built and subdivisions going up nearby.

5. How does the projected use of the property, relate to the Kane County 2040 Land Use Plan?
The 2040 plan calls for proposed open space and agriculture for this property, but across the rail road tracks calls for all rural residential.
Stathis Family Limited Partnership  
Rezoning from F to F-1

Special Information: There are two homes and numerous agricultural buildings on the approximately 80 acre Stathis Family Farm. The petitioners are seeking a rezoning to allow one of the homes to be split off and sold separately from the remaining property. The other home will remain with the farmland and is not part of this rezoning.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area 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.

Staff recommended Finding of Facts:

1. The existing residential use will not be intensified by the rezoning.
2. The rezoning will be the existing residential use back into conformance with the Kane County Zoning Ordinance by allowing, subject to rezoning approval, the two homes to be on separate parcels.

Attachments: Location Map  
Township Map  
Petitioner’s finding of fact sheet
From: stason.ludwig <stasonoludwig@gmail.com>
Sent: Wednesday, January 25, 2017 6:45 PM
To: Berkhout, Keith
Subject: Petition for only 1.02 acres on Pouley Rd.

I am requesting that for the Zoning Board of Appeals meeting on February 7th that instead of the proposed zoning plan of separating the house and buildings with 5.1 acres and 1.02 acres with house to both be separated from the surrounding field and from each other to F1 zonings, I would know like to only separate the 1.02 acres from the surrounding field and building cite to an F1 zoning and leave the 5.1 acres attached to the field and keep the F zoning as is. The portion of the property remaining F zoned will meet the county's standards of having over 40 acres as well as over 250ft of road frontage.

Thank you.
PLAT OF PROPERTY

Parcel One
That part of the South Half of the Northeast Quarter of Section 4 Township 28 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of said Northeast Quarter, thence southerly along the west line of said Northeast Quarter, 2056.80 feet for the point of beginning; thence southerly, along said west line, 420.38 feet to the northerly right of way line of the Chicago and Northwestern railroad; thence southeasterly, at an angle of 90°23′15″, measured clockwise from said west line, along said northerly line, 72.00 feet; thence northerly, at an angle of 89°45′17″, measured clockwise from the last described course, 326.48 feet; thence westerly, at an angle of 89°45′17″, measured clockwise from the last described course, 72.19 feet to the point of beginning, all in Blackberry Township, Kane County, Illinois.

Parcel Two
That part of the South Half of the Northeast Quarter of Section 4 Township 28 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of said Northeast Quarter, thence southerly along the west line of said Northeast Quarter, 2471.19 feet to the northerly right of way line of the Chicago and Northwestern railroad; thence southeasterly, at an angle of 89°45′17″, measured clockwise from said west line, along said northerly line, 72.00 feet; thence northerly, at an angle of 89°45′17″, measured clockwise from the last described course, 192.86 feet; for the point of beginning; thence easterly, at an angle of 90°14′43″, measured counterclockwise, from the last described course, 383.32 feet to a point on said northerly line, 197.16 feet; thence southerly, at an angle of 90°14′43″, measured clockwise from the last described course, 234.00 feet to the point of beginning, all in Blackberry Township, Kane County, Illinois.
