

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

<p><i>Received Date</i></p>

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): 10-04-400-012 – East 80, LLC and 10-04-300-006 – Wade & Kimberly Kuipers
	Street Address (or common location if no address is assigned): Far north end of Shadetree Lane, Maple Park, IL 60151 and 1N318 Watson Road, Maple Park, IL 60151

2. Applicant Information:	Name Development Properties, Inc. John A. Thornhill, President	Phone 630-584-3303
	Address 44 White Oak Circle, St. Charles, IL 60174-4165	Fax 630-584-3303
		Email JATLDC@sbcglobal.net

3. Owner of record information:	Name East 80, LLC, an Illinois Limited Liability Company and Wade & Kimberly Kuipers	Phone 815-791-1752
	Address 1N318 Watson Road, Maple Park, IL 60151	Fax
		Email KIM.KUIPERS@WALYFAIR.COM

Zoning and Use Information:

2040 Plan Land Use Designation of the property:
Agriculture

Current zoning of the property:
F District-Farming

Current use of the property:
Farming (wooded), on Shadetree Lane
Petitioners' Residence, on Watson Road

Proposed zoning of the property:
F1 District-Rural Residential
F1 District-Rural Residential

Proposed use of the property on Shadetree Lane:

Construction of 3 single-family residences to accommodate needs of petitioners' children.

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

Driveways, wells and septic systems, together with all usual and customary components and activities associated with single-family home construction.

Proposed use of the property on Watson Road:

No changes; will remain petitioners' residence

Attachment Checklist

- Site Development Plan or Plat of Survey (See Exhibit "B-1" and Exhibit "B-2").
- Legal descriptions (See Exhibit "A-1" and Exhibit "A-2")
- 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
- Aerial (air photo) with property clearly highlighted contact:
The Sidwell Co., 675 Sidwell Dr., St. Charles, IL (630) 549-1000
- Trust Disclosure (If applicable)
- Findings of Fact Sheet
- Application fee = \$900.00 (make check payable to Kane County Development Department)

February 21, 2019

East 80, LLC (*Wade Kuiper, et ux*)
Rezoning from F to F-1

Special Information: The petitioner is requesting rezonings on different portions of their property. The first rezoning will allow the Kuiper's existing private residence at 1N318 Watson Road to be split off from the rest of the property and put on its own separate parcel. They are requesting this for liability reasons, so that the public use related to the pumpkin farm activities can be separated from their private residential property. The second request is for an area at the northwest end of Shadetree Lane. In the wooded area on the northern portion of this property the petitioner is seeking a rezoning to allow for the creation of three 1+ acre parcels. These parcels are intended for the construction of homes for the petitioner's children.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Agricultural. 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 Plan also recognizes that many farmers and agricultural landowners may wish to create an additional lot or erect a dwelling unit for a family member on a portion of their land which is indicated as agricultural. However, any new lot would be subject to review according to the F-1 Rural Residential criteria of Section 8.2-3 and the factors of Section 8.2-4. An overriding policy of Kane County is to support agriculturalists, on the land they operate, thereby enhancing the prosperity, efficiency and continued long-term health of agricultural activities in Kane County.

Staff recommended Findings of Fact:

1. The proposed rezoning of the Kuiper's existing private residence will not intensify the residential use.
2. The proposed rezoning of the existing residence and the proposed three new parcels is consistent with the purpose and uses for the F-1 District-Rural Residential zoning district.

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

Findings of Fact Sheet – Rezoning (Parcel on Shadetree Lane)

- *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.*

Kuipers Rezoning / Development Properties, Inc.

Name of Development/Applicant

Date: January 15, 2018

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

The only change in use contemplated will be 3 single-family residences for petitioner’s children, which is consistent with the only development in the immediate area during the past 40 years.

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

F District–Farming adjoins the subject premises on the west and south; R1 District–One-Family Residential is east and one F1 District-Rural Residential parcel is north of the subject premises.

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

The present zoning classification is not likely to be fully realized unless the trees on the property are removed. The proposed use under the F1 District-Rural Residential classification being sought is more appropriate for the subject premises.

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

There is little or no trend of development in the immediate area except for agricultural endeavors by the petitioners.

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

Area is designated Agriculture; proposed rezoning of subject premises to F1, to accommodate construction of 3 homes for children of petitioners, is consistent with the uses contemplated in the 2040 Land Use Plan.

Findings of Fact Sheet – Rezoning (Parcel on Watson Road)

- *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.*

Kuipers Rezoning / Development Properties, Inc.

Name of Development/Applicant

Date: January 15, 2018

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

There is no change in use contemplated. The petitioner’s existing personal residence meets the criteria for reclassification to the F1 District—Rural Residential.

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

The F District-Farming classification of property owned by the petitioner surrounds the subject premises.

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

The proposed reclassification is appropriate under the F1 District-Rural Residential classification being sought since the size of the parcel upon which the existing residence is located is being reduced.

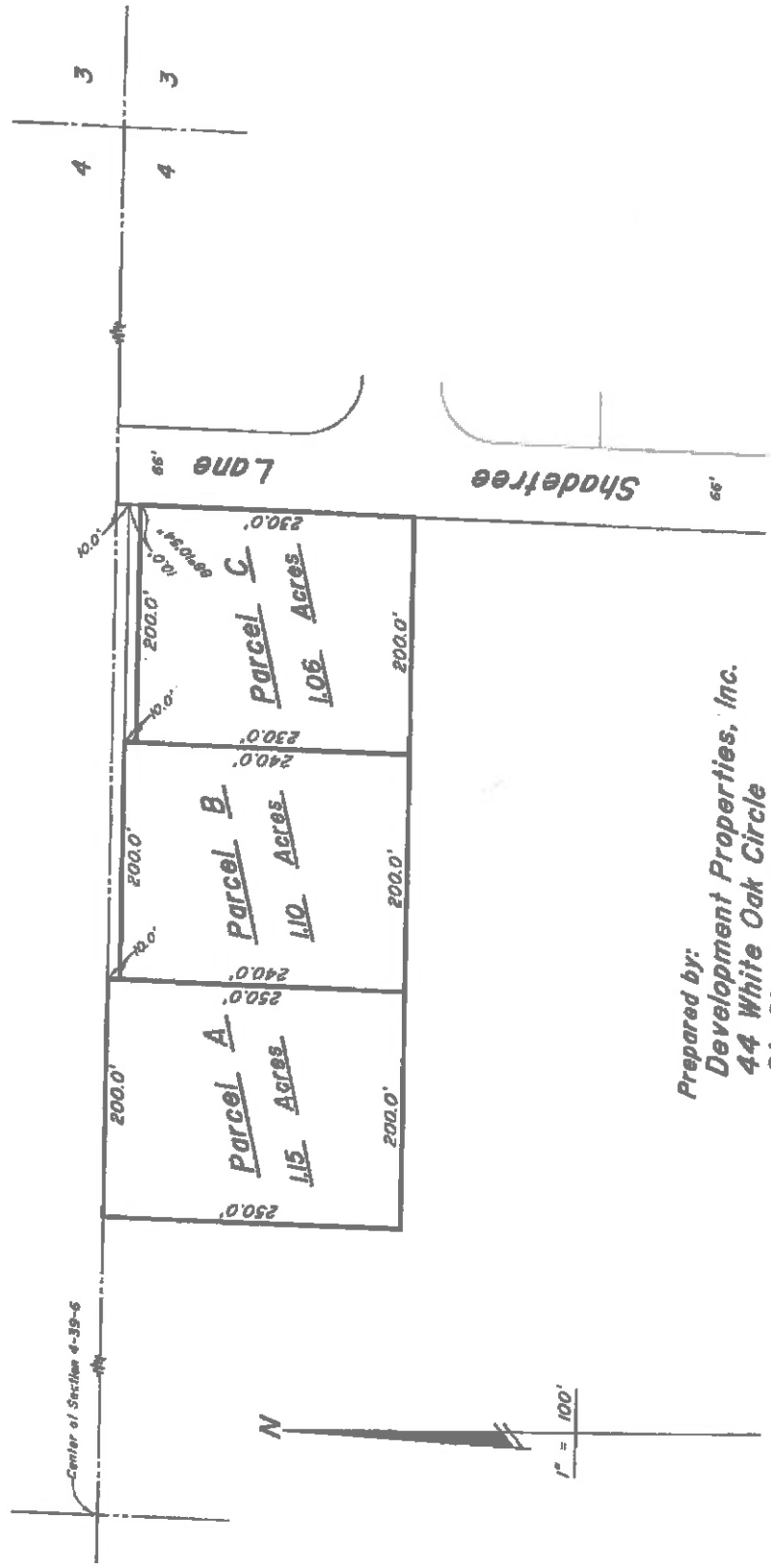
8. What is the trend of development, if any, in the general area of the property in question?

There is little or no trend of development in the immediate area except for agricultural endeavors by the petitioners.

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

Area is designated Agriculture; proposed rezoning of subject premises containing existing residence to F1 is consistent with the uses contemplated in the 2040 Land Use Plan.

Site Development Plan of
Part of the Southeast Quarter of Section 4-39-6
Kaneville Township Kane County Illinois



Prepared by:
Development Properties, Inc.
44 White Oak Circle
St. Charles, Illinois 60174

January 17, 2018

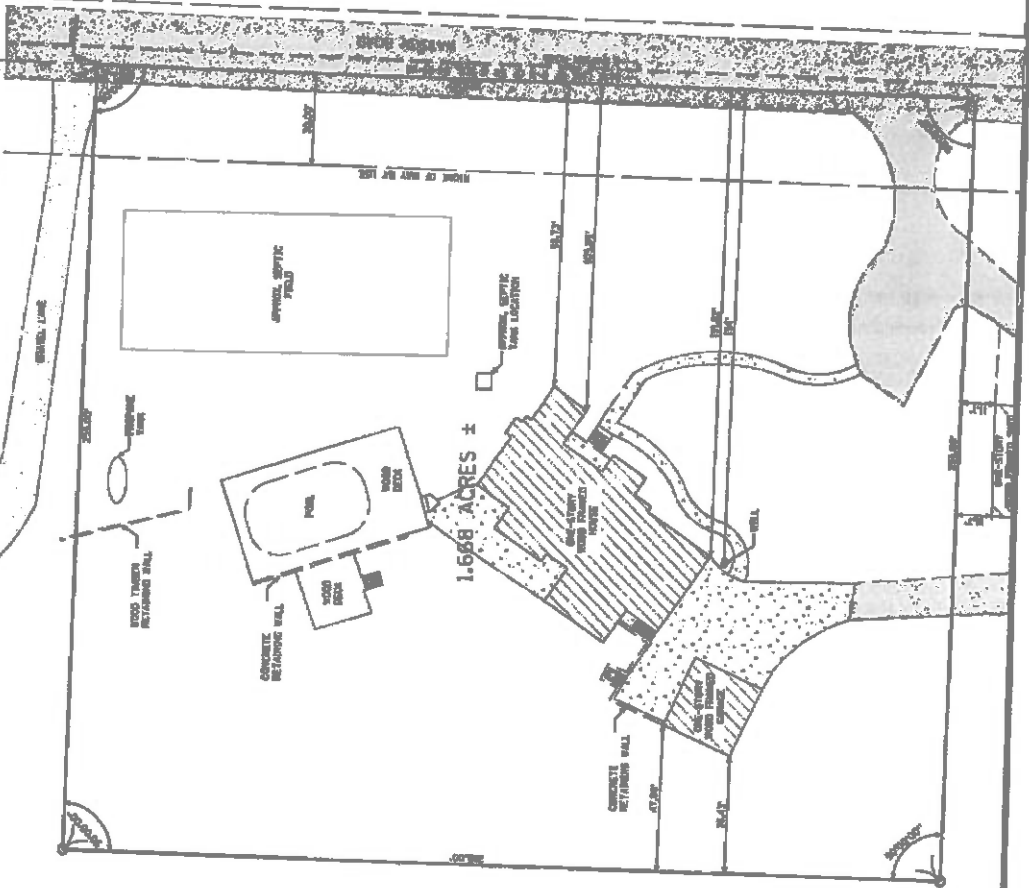
PLAT OF SURVEY



FOUND BY AT THE CORNER OF SW 1/4 SEC. 04-38-06



FOUND BY AT THE CORNER OF SW 1/4 SEC. 04-38-06



LEGEND

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- SURVEYED PROPERTY
- FRONT OF WAY LINE
- GOOLOO' MEASURED OR CALCULATED SURVEY DATA
- 6000001 RECORD OR PRIOR SURVEY DATA
- FOUND IRON PIPE
- SET IRON PIPE
- SET IRON NAIL
- SET WING NAIL
- ASPHALT
- CONCRETE

STATE OF ILLINOIS)
 COUNTY OF COLE)
 I, COUNTRYSIDE PROFESSIONAL LAND SERVICES LLC, ILLINOIS PROFESSIONAL DESIGN FIRM NUMBER 1840105-0001, DO HEREBY CERTIFY THAT WE HAVE SURVEYED PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, ILLINOIS, COUNTY OF COLE, ILLINOIS AND THAT THE ATTACHED PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.
 GIVEN UNDER MY HAND AND SEAL THIS 15TH DAY OF NOVEMBER, 2017 IN ROCKFELLER, ILLINOIS.

THIS INSTRUMENT BEING SUBJECT TO THE CURRENT ILLINOIS SURVEY STANDARDS FOR A SURVEY CONTRACT.
 ILLINOIS PROFESSIONAL LAND SURVEYORS ACT 2012 BY ILLINOIS PROFESSIONAL LAND SURVEYORS BOARD 2012-2015

LEGAL DESCRIPTION

PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, ILLINOIS, COMMENCING AT THE POINT OF BEGINNING OF SAID WEST HALF, THENCE SOUTH ALONG THE EAST LINE OF SAID WEST HALF, THENCE WEST TO THE POINT OF BEGINNING, THENCE CONTINUING SOUTH ALONG SAID EAST LINE, THENCE WEST PARALLEL WITH SAID EAST LINE, THENCE SOUTH ALONG SAID WEST LINE, THENCE WEST TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF ROCKFELLER, ILLINOIS. SAID PARCEL CONTAINS 1.668 ACRES, MORE OR LESS.

NOTES

1. FIELD WORK WAS COMPLETED 04/07/17.
2. IT IS NOT WARRANTED THAT THIS BOUNDARY/TOPOGRAHY SURVEY CONTAINS COMPLETE INFORMATION REGARDING EASEMENTS, ENCUMBRANCES, RESTRICTIONS, RIGHT OF WAY, EASEMENTS, SETBACK LINES, AND OTHER ENCUMBRANCES. FOR COMPLETE INFORMATION A TITLE COMMITMENT FOR TITLE INSURANCE SHOULD BE OBTAINED.
3. DIMENSIONS IN FEET AND DECIMALS.

PART OF THE WEST 1/4 OF THE SW 1/4 SEC. 04-38-06

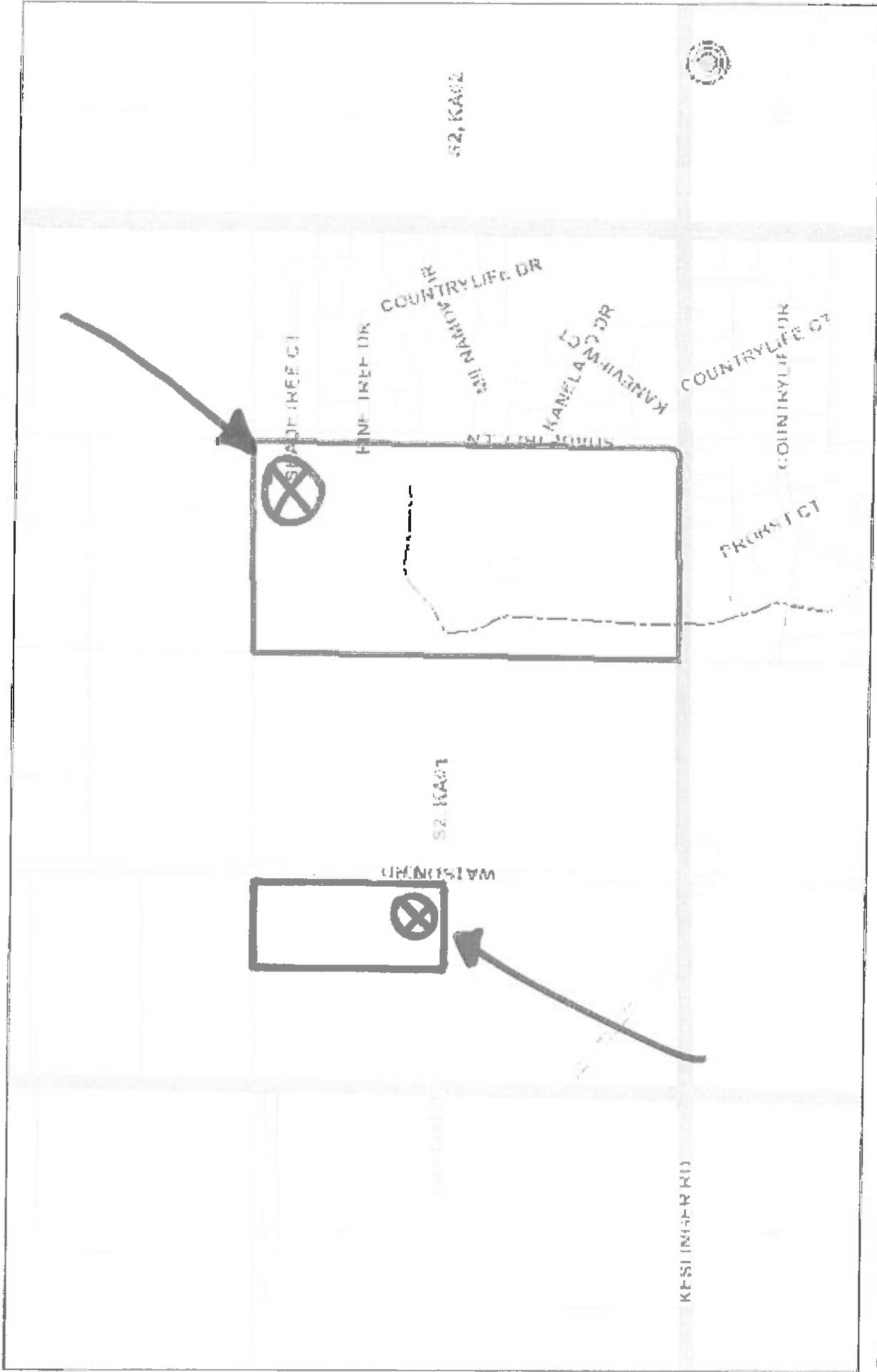
AREA	ACRES
AREA 1	1.668
TOTAL AREA	1.668

OWNER: KRIEGER'S FAMILY FARM
 15151 WATSON ROAD
 MAPLE PARK, IL 60151

COUNTRYSIDE
 PROFESSIONAL LAND SERVICES
 15151 WATSON ROAD
 MAPLE PARK, IL 60151

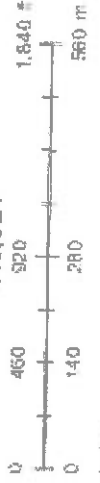
PROJ. NO. 17-001
 DATE: 11/15/17
 SHEET 5 OF 1
 DRAWING BY: PL1

Map Title



February 21, 2019

1:10,024



GIS-Technologies

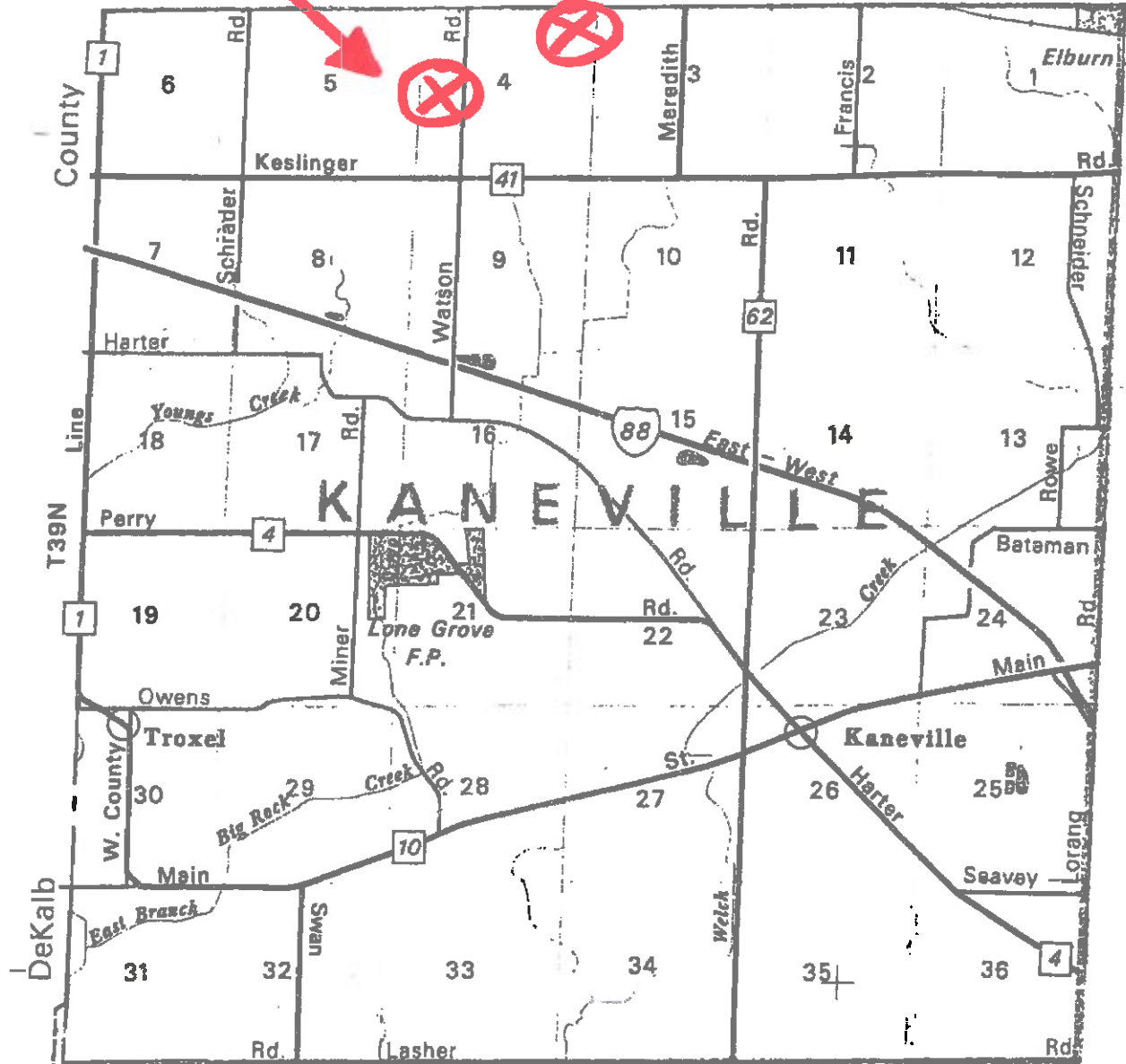
These layers do not represent a survey. No Accuracy is assumed for the data displayed herein, either expressed or implied by Kane County or its employees. These layers are converted from official

GIS-Technologies

KANEVILLE TWP.

T.39N - R.6E

map 10



1"-MILE

Farruggia, Tony

From: Rauscher, Erin
Sent: Friday, January 11, 2019 3:11 PM
To: Farruggia, Tony
Subject: RE: Petition 4450 & 4451

Follow Up Flag: Follow up
Flag Status: Flagged

Tony,

Petitions 4450 and 4451, no comments/objections from the health department.



Erin Rauscher
Environmental Health Supervisor
Kane County Health Department
1750 Grandstand Place
Elgin, IL 60123

Phone: 847-888-6450
www.kanehealth.com

From: Farruggia, Tony
Sent: Friday, January 11, 2019 1:28 PM
To: Rauscher, Erin <RauscherErin@co.kane.il.us>
Subject: Petition 4450 & 4451

Please see the attached variance petition and provide comments.

Regards,

Tony Farruggia, AICP Candidate
Zoning Planner
FarruggiaTony@Co.Kane.IL.US
630.232.3494

Berkhout, Keith

From: McGraw, Keith
Sent: Thursday, June 07, 2018 9:46 AM
To: Berkhout, Keith
Subject: Shadetree Lane Zoning Map Amendment
Attachments: 2018-05-10 zoning application.pdf

Keith

In regard to the above mentioned and attached application, KDOT has the following stipulations:

- Each new parcel shall be accessed via a private drive, with an easement width of 36 feet, and pavement width of minimum 20 feet. The drive shall be maintained by the owners, and not the responsibility of the Township commissioner

Keith McGraw

Kane County - Division of Transportation

Permitting Section
41W011 Burlington Road
St. Charles IL 60175

t (630) 584-1171
f (630) 584-5239

Berkhout, Keith

From: Rauscher, Erin
Sent: Thursday, June 07, 2018 4:09 PM
To: Berkhout, Keith
Subject: Kuipers rezoning petition

Categories: Red Category

Keith,

10-04-400-012, 10-04-300-006, 10-04-300-004

No objections from health department, all proper permits shall be applied for.

Well and septic permits to be applied for and sized adequately for operations.

Vacant lots for proposed single family residences approved, shall meet all well and septic system current codes.



Erin Rauscher
Environmental Health Supervisor
Kane County Health Department
1750 Grandstand Place
Elgin, IL 60123

Phone: 847-888-6450
www.kanehealth.com

Applicant: Development Properties, Inc.
Contact: John Thornhill
Address: 44 White Oak Circle
St. Charles, IL 60174

IDNR Project Number: 1806019
Date: 01/12/2018
Alternate Number: 06-005

Project: Kuypers Rezoning
Address: Shade Tree Lane, Maple Park, IL

Description: Rezoning of small wooded area to accommodate 3 single-family residences.

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

Consultation 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. Termination does not imply IDNR's authorization or endorsement.

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Kane

Township, Range, Section:
39N, 6E, 4



IL Department of Natural Resources
Contact
Natalia Jones
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Kane County Development Department
Keith Berkhout
719 Batavia Avenue
Geneva, Illinois 60134

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, 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, compliance with applicable statutes and regulations is required.

Terms of Use

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1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

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Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.

Applicant: Development Properties, Inc.
Contact: John Thornhill
Address: 44 White Oak Circle
St. Charles, IL 60174

IDNR Project Number: 1806209
Date: 01/17/2018
Alternate Number: 06-005 Residence

Project: Kuipers Rezoning
Address: 1N318 Watson Road, Maple Park, IL

Description: Rezoning to create Zoning Lot for existing residence.

Natural Resource Review Results

This project was submitted for information only. It is not a consultation under Part 1075.

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

Location

The applicant is responsible for the accuracy of the location submitted for the project.



County: Kane

Township, Range, Section:
39N, 6E, 4

IL Department of Natural Resources

Contact

Impact Assessment Section
217-785-5500

Division of Ecosystems & Environment

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