

KANE COUNTY DEVELOPMENT DEPARTMENT
 Zoning Division, Kane County Government Center
 719 Batavia Avenue
 Geneva, Illinois 60134
 Office (630) 444-1236 Fax: (630) 232-3411

4533

<i>Received Date</i>
<div style="border: 1px solid black; padding: 2px; display: inline-block;"> JAN 31 2020 RECEIVED ZONING DIVISION </div>

**APPLICATION FOR ZONING MAP AMENDMENT
 AND/OR SPECIAL USE**

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): 14-09-100-018
	Street Address (or common location if no address is assigned): KeDeKa Road, north side, east of Blackberry Creek

2. Applicant Information:	Name James F. Cooke	Phone 630-584-6800
	Address 215 W. Illinois St.	Fax 630-584-6103
	St. Charles, IL 60174	Email jcooke@jimcookelaw.com

3. Owner of record information:	Name Kenneth J. Knierim Christina L. Knierim	Phone 331-725-6929
	Address 973 Homestead	Fax
	Yorkville, IL 60560	Email

Zoning and Use Information:

2040 Plan Land Use Designation of the property: Plan designates estate residential and open space.

Current zoning of the property: F - Farming

Current use of the property: Farming, vacant, hedgerow

Proposed zoning of the property: E-2 Estate Residential

Proposed use of the property: Single family residential

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

New access to KeDeKa Road, ROW dedications, new home(s), septic and well,
new drain tile.

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 within 250 feet of the 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.

Christina DiChierin [Signature] 1/30/2020
Record Owner Date

[Signature] 1/30/2020
Applicant or Authorized Agent Date

FINDING OF FACT SHEET – REZONING

ADDENDUM

Knierim Rezoning
January 30, 2020

#1: The estate residential use is compatible with the low density residential and Forest Preserve District open space uses in the general area.

#2: F-farming and R-1 residential are the predominant zoning in the general area.

#3: The existing farm zoning is suitable for the agricultural use. The soils are well drained, not prime agricultural, and are well suited for the proposed use.

#4: The Village of Sugar Grove has planned for more intensive development in the area. The land along KeDeKa Road is trending toward unincorporated, low density residential use and Forest Preserve District open space.

#5: The proposed use is consistent with the 2040 Land Use Plan and with the Forest Preserve District Open Space Plan.

LAW OFFICES
OF
JAMES F. COOKE, LTD.
A PROFESSIONAL CORPORATION

215 WEST ILLINOIS STREET
ST. CHARLES, ILLINOIS 60174-2850

FACSIMILE (630) 584-6103
TELEPHONE (630) 584-6800
EMAIL: JCOOKE@JIMCOOKELAW.COM

January 30, 2020

Kane County Zoning Board of Appeals
Attn: Zoning Enforcing Officer
719 Batavia Avenue
Geneva, Illinois 60134

**Re: Petition for Rezoning, F to E-2
Legal Description of Subject Property is attached hereto**

**PETITION FOR REZONING
FROM F-FARMING TO E-2 ESTATE RESIDENTIAL**

Members of the Kane County Zoning Board of Appeals:

The Petitioner does hereby state as follows:

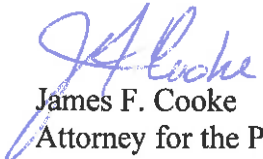
1. The titleholders/Petitioners of the Subject Property are Kenneth J. Knierim and Christina L. Knierim.
2. The Subject Property is zoned F District Farming.
3. Petitioners request that the Subject Property be granted a rezoning from F District Farming to E-2 Estate Residential.
4. The Petitioners have shown on the site plan, attached hereto as Exhibit A, the single family improvements proposed for the Subject Property. These improvements include access to KeDeKa Road, new drain tile installation in cooperation with the Kane County Forest Preserve, and a new single family home. The lot configuration and zoning could allow for one additional single family home in the future.

JAMES F. COOKE, LTD.

Petition for Rezoning
January 30, 2020
Page 2

It is the Petitioners' position that the E-2 Estate Residential zoning requested herein is reasonable and consistent within the parameters of the Kane County Zoning Ordinance, the Kane County Land Resource Management Plan, and the Forest Preserve District land acquisition and site development plans for this area of Sugar Grove Township.

Respectfully submitted,


James F. Cooke
Attorney for the Petitioner

February 26, 2020

Ken Knierim, et ux
Rezoning from F-District Farming to E-2 District Estate Residential

Special Information: The petitioners have a draft agreement with the Kane County Forest Preserve District to sell the northern 13 acres of the property to the District. As this reduction in size would render the remaining property non-conforming for residential use, the petitioners are seeking a rezoning of the remaining 9 acres from F to E-2 to allow for one single family home to be constructed in the near term with a possible second home in the future.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Proposed Open Space. The Plan recognizes that not all the land identified in this category is available, appropriate or within the means of public agencies to acquire. Best management practices should be encouraged along creeks, forested areas and adjacent to other high quality natural resources.

Staff recommended Findings of Fact:

1. The rezoning will allow one single family home to be constructed in the near term and possibly a second home in the future.

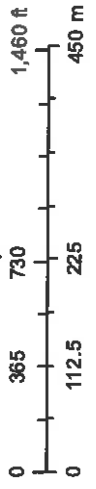
Attachments: Location Map
 Township Map
 Petitioner's finding of fact sheet

Map Title



February 26, 2020

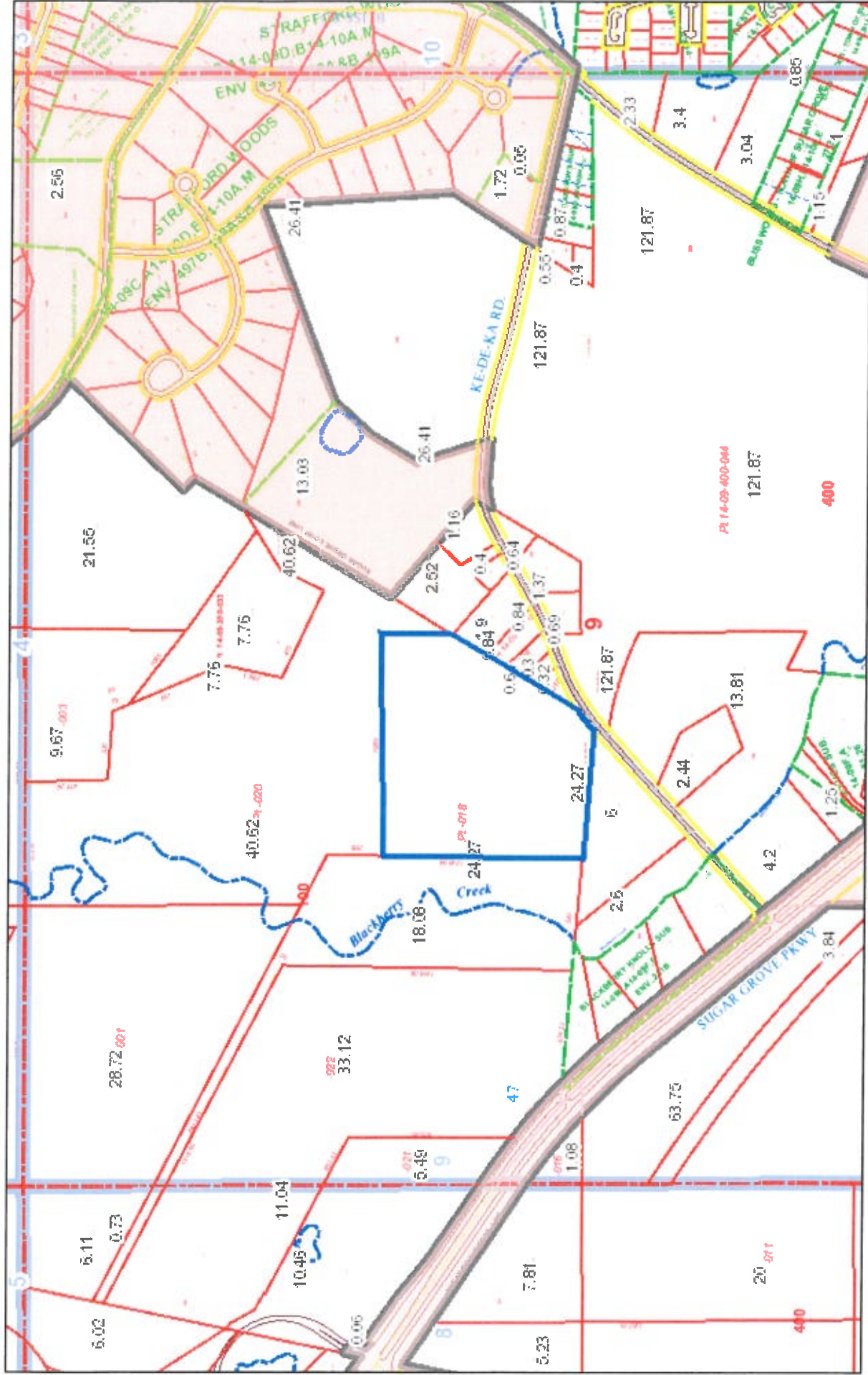
1:7,977



These layers do not represent a survey. No Accuracy is assumed for the data delineated herein, either expressed or implied by Kane County or its employees. These layers are compiled from official records, including plats, surveys, recorded deeds, and contracts, and only contains information required for local government purposes. See the recorded documents for more detailed legal information.

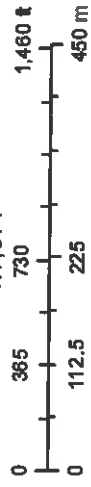
GIS-Technologies
Kane County Illinois

42W560 KE-DE-KA RD, SUGAR GROVE IL 60554



February 25, 2020

1:7,977



GIS-Technologies

These layers do not represent a survey. No Accuracy is assumed for the data delineated herein, either expressed or implied by Kane County or its employees. These layers are compiled from official records, including plats, surveys, recorded deeds, and contracts, and only contains information required for local government purposes. See the recorded documents for more detailed legal information.

GIS-Technologies
Kane County Illinois

Berkhout, Keith

From: Rauscher, Erin
Sent: Monday, February 10, 2020 1:01 PM
To: Berkhout, Keith; VanKerkhoff, Mark
Cc: Aamir, Hira; Wilford, Anne
Subject: RE: Zoning petition for review - Knierim

No comments from health department-other than all new wells and septic systems must meet code.

From: Berkhout, Keith <BerkhoutKeith@co.kane.il.us>
Sent: Monday, February 03, 2020 1:16 PM
To: VanKerkhoff, Mark <vankerkhoffmark@co.kane.il.us>
Cc: Aamir, Hira <AamirHira@co.kane.il.us>; Rauscher, Erin <RauscherErin@co.kane.il.us>; Wilford, Anne <WilfordAnne@co.kane.il.us>
Subject: Zoning petition for review - Knierim

Keith T. Berkhout
Zoning Planner

Kane County Department of Development and Community Services
719 S. Batavia Avenue
Geneva, Illinois 60134
630-232-3495
berkhoutkeith@co.kane.il.us

