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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

Received Date
NOV 18 2019
Kane Co. Dev. Dept.
Zoning Division

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 Numbers: 04-26-100-001
	Street Address (or common location if no address is assigned): 46W901 Ellithorpe Road Hampshire, IL 60140

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. Owners of record information:	Name Dennis Mascolo and Cheryl Mascolo	Phone 847-683-5220
	Address 46W901 Ellithorpe Road Hampshire, IL 60140	Fax
		E mail

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: Petitioners' residence with outbuildings.

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

Proposed use of the property: Residential with outbuildings.

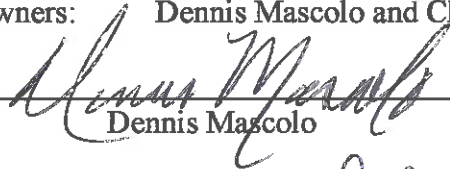
If the proposed Map Amendment is approved, what improvements or construction is planned? None

Attachment Checklist

- Plat of Survey (see Exhibit "B" attached).
- Legal description (see Exhibit "A" attached).
- 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, 2315 Dean Street, Site 100, 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 to & adjoining subject property
- Aerial (air photo) with property clearly highlighted; Kane County GIS Aerial photo (see Exhibit "C" attached)
- Trust Disclosure (If applicable)
- Findings of Fact Sheet
- Application fee (make check payable to Kane County Development Department) = \$1125.00

I certify that this application and the documents submitted with it are true and correct to the best of my knowledge and belief.

Record Owners: Dennis Mascolo and Cheryl Mascolo


Dennis Mascolo


Cheryl Mascolo

11-16-19
Date

Applicant and/or authorized agent:


John A. Thornhill, President, DPI

11-16-19
Date

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.*

Mascolo Rezoning/Development Properties, Inc.
Name of Development/Applicant

November 15, 2019
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 except to establish a smaller zoning lot that will be consistent with the present and surrounding land uses.

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

F District-Farming predominates in all directions except four F1 District parcels lie ¼ mile east of subject property.

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

The existing and proposed uses are identical but the size of the existing 40-acre zoning lot has been an impediment to selling the subject property, on which the petitioners’ residence and outbuildings are located. Changing the size to a smaller zoning lot requires rezoning to the F1 District but is expected to result in a parcel that will be more marketable.

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 for many years. However, the 2005 Future Land Use Map adopted by the Village of Burlington, which adjoins petitioners’ property on the north side of Ellithorpe Road, promotes *Agricultural Transitional/Estate Residential* and gross density of ½ dwelling unit/acre, which is more intense than the use proposed by this petition.

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

The continuation of the existing use and the proposed F1 District-Rural Residential classification being requested is consistent with the *Agriculture* designation on the 2040 Plan.

January 7, 2020

Dennis Mascolo, et ux
Rezoning from F-District Farming to F-1 District Rural Residential

Special Information: The petitioners have been trying to sell the entire property but the 40 acre size has received negative market feedback. The petitioners are seeking a rezoning to allow the home to be split off from the remaining farmland. They believe the home on a smaller parcel will be more marketable.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Agricultural. The Plan states that the Agricultural use category also provides for agribusinesses, farm support services, and other related uses that are dependent upon, or closely allied to, modern agricultural practices. Kane County recognizes that prime farmland can be best utilized as agricultural land when supported by a full range of agribusiness and farm services in the immediate area. In 2013, The Kane County Board adopted the “Growing for Kane” Program, which supports and encourages local food propagation, consumption, and the production of value added products.

Staff recommended Findings of Fact:

1. The existing residential use will not be intensified by the rezoning.

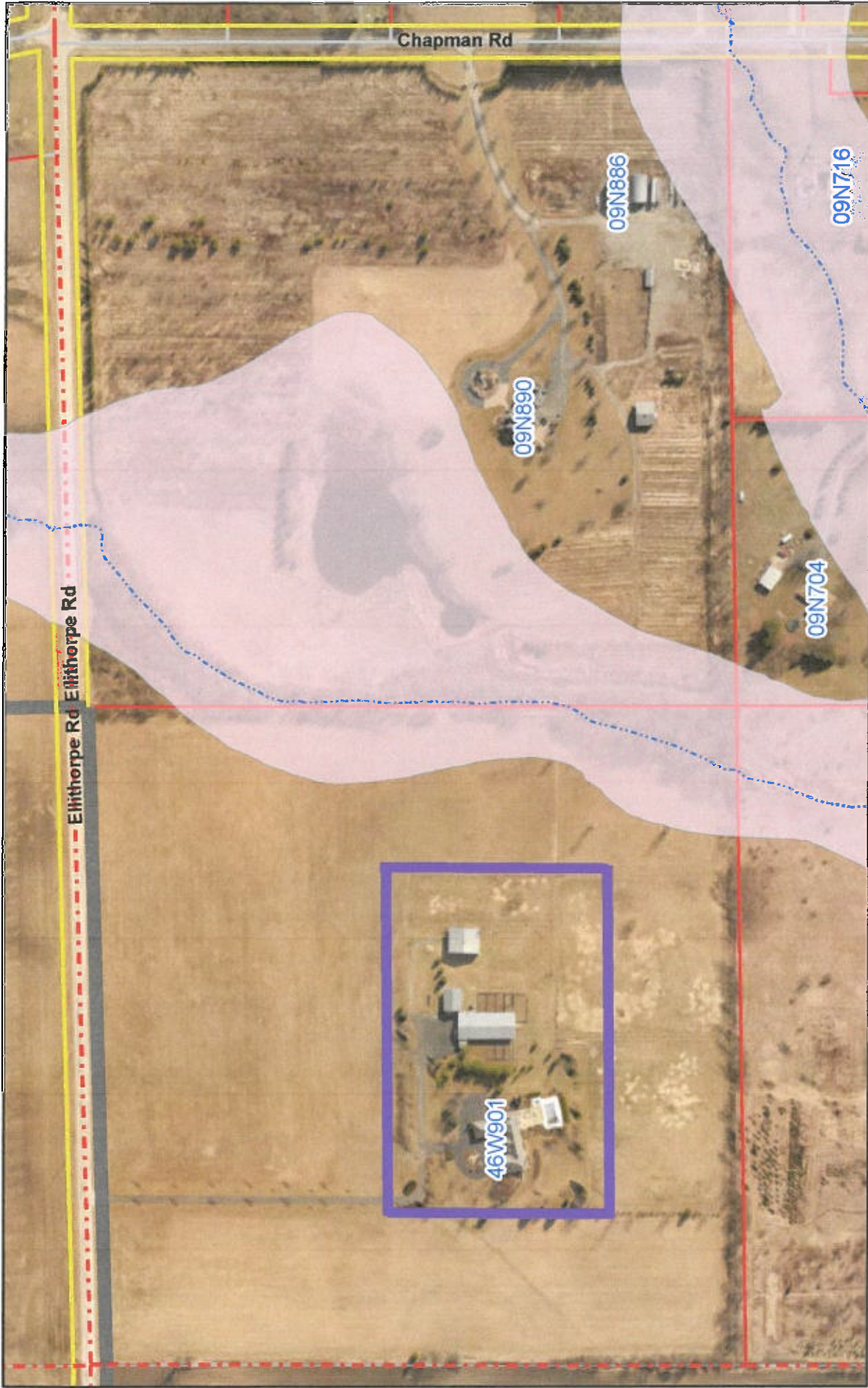
Attachments: Location Map
 Township Map
 Petitioner’s finding of fact sheet

EXHIBIT "A"

Mascolo Property

The easterly 700.0 feet of the westerly 1000.0 feet of the northerly 450.0 feet of the southerly 700.0 feet of the Northwest Quarter of the Northwest Quarter of Section 26, Township 41 North, Range 6 East of the Third Principal Meridian, in Burlington Township, Kane County, Illinois and containing 7.231 acres.

Exhibit "C" Mascolo Property



11/14/2019, 1:39:28 PM

- - - - - Creeks
- 500 Year Flood
- - - - - 100 Year Flood
- Townships
- A
- Cadastral Lines
- Parcel Line
- Parcel Line Leg Desc
- Pol Corp Line
- Road ROW
- - - - - Section Line
- - - - - Water Line
- Parcels
- Addresses
- Road Names

1:4,514



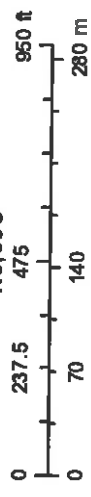
Eerl, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community. These layers do not represent a survey. No Accuracy is assumed for the data records, including plats, surveys, recorded deeds, and contracts, and only contains information required for local government purposes. See the recorded documents for more detailed legal information.

Map Title



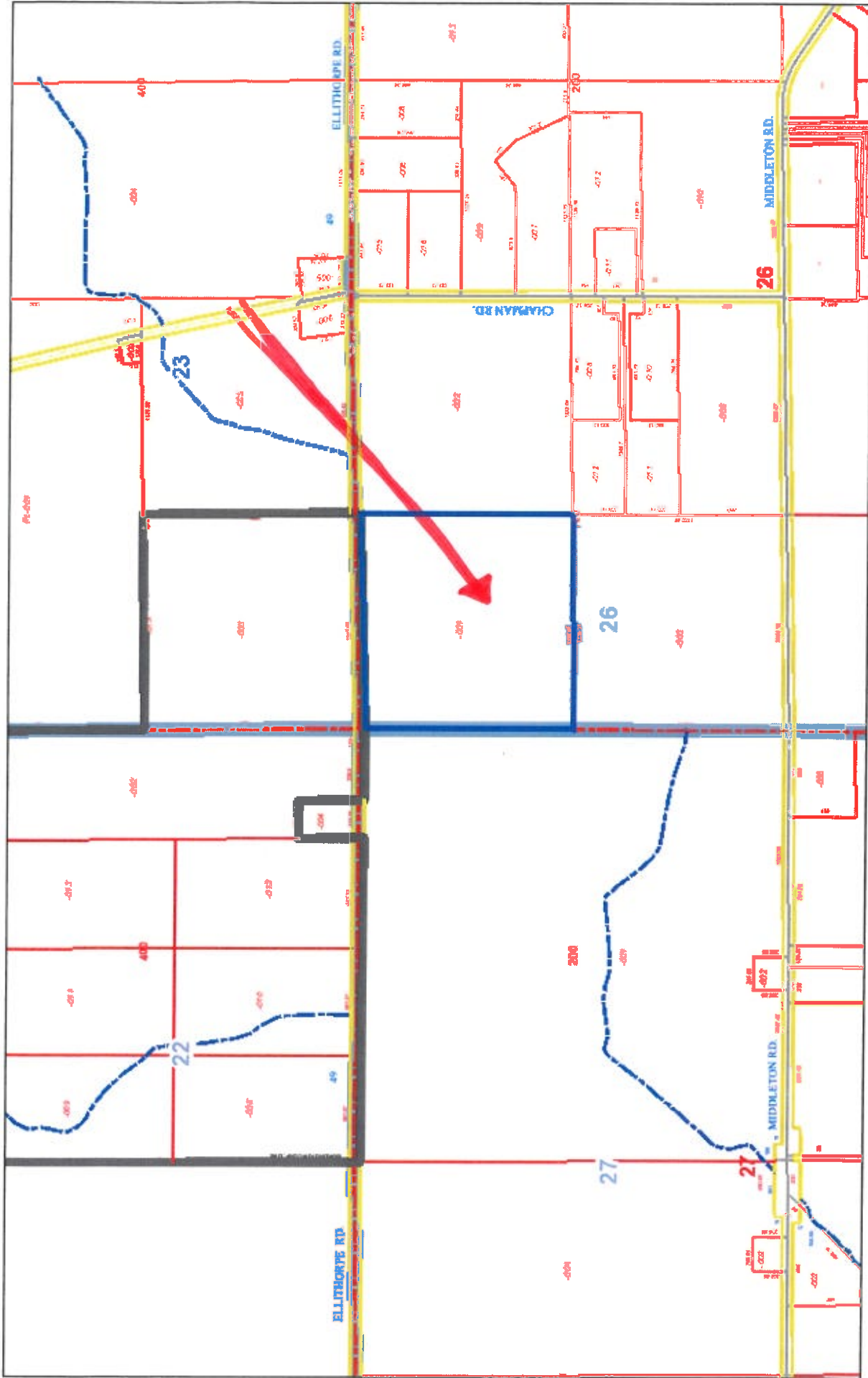
December 16, 2019

1:5,098



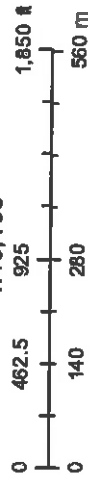
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Map Title



December 16, 2019

1:10,196



GIS-Technologies

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GIS-Technologies
Kane County Illinois

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

IDNR Project Number: 2004229
Date: 11/15/2019
Alternate Number: 19-005

Project: Mascolo Rezoning
Address: 46W901 Ellithorpe Road , Hampshire, IL

Description: Rezoning a portion of owner's property to establish smaller zoning lot.

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:
41N, 6E, 26



IL Department of Natural Resources
Contact
Adam Rawe
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.

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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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