

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

Received Date
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**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.**

<b>1. Property Information:</b>	<b>Parcel Number (s):</b>  14-29-300-004
	<b>Street Address (or common location if no address is assigned):</b> 85 809 Mahell Rd Sugar Grove IL 60554

<b>2. Applicant Information:</b>	<b>Name</b> Ted McCannon	<b>Phone</b> 630-556-3100
	<b>Address</b> P.O. Box 470	<b>Fax</b> 630-556-4329
	Sugar Grove IL 60554	<b>Email</b> e-d-s@mchsi.com

<b>3. Owner of record information:</b>	<b>Name</b> RKM Properties LLC	<b>Phone</b> Tony Graff 630-688-9217
	<b>Address</b> 170 White Branch Ct.	<b>Fax</b> 630-553-3270
	Buffalo Grove, IL 60089	<b>Email</b> graftmd@aol.com

Ellen 630-774-9211

**Zoning and Use Information:**

2030 Plan Land Use Designation of the property: Agriculture

Current zoning of the property: F

Current use of the property: Residential + Farming

Proposed zoning of the property: F1

Proposed use of the property: Residential Farmette

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

Land marking + rehabbing historic farmstead including home, machine shed, and corn crib. Also upgrading septic to bring to code. Future residence with outbuilding and pasture on Attachment Checklist second parcel.

- 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](http://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/eres/mrc/aar.htm](http://www.dnr.state.il.us/eres/mrc/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 (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.

RKM Properties, LLC

By Kimberly G. Kasal, Managing Member 5-17-2013  
Record Owner Date

[Signature] 05-16-13  
Applicant or Authorized Agent Date

The Morrison Company Design Services

# 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.

Beautiful Sky Farm  
Name of Development/Applicant

5-17-13  
Date

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

This property has served as one of the cornerstones to farming in the area for over 150 years. We intend to preserve that history by turning it into a farmette, where we not only grow vegetables & small livestock, but tell the story of the Mitchell Farm by land marketing the home and corn crib.

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

Zoning of properties in general area is F

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

We would preserve and maintain current usages of farming.

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

No new development in area other than new church on Degan Rd

5. How does the projected use of the property, relate to the Kane County 2030 Land Use Plan?

2030 land use plan is proposed Agriculture, which will be maintained with farmette concept.

CERTIFICATION OF NOTIFICATION OF ADJACENT PROPERTY OWNERS

Date: 5-17-13 To:

KANE COUNTY ZONING BOARD OF APPEALS

From: Ted McCannon  
PO Box 470  
Sugar Grove, IL 60564  
(Ph #) 630-556-3100

The undersigned, being sworn upon this oath, deposes and says that the list below includes the names and addresses of all owners of property adjacent to property referred to in petition for

(circle one) Variance Rezoning Special Use

for the purpose of Creating two F1 parcels (farmstead)  
for the preservation of historical  
farmstead

and, further, that all persons owning property which is adjacent to parcel referred to in petition have been notified of the intent of the petitioner(s).

Petitioner's property is located in Section 14, Township 29, County of Kane. (Legal Description Attached)

List names of property owners below. (Property Owners do not have to sign this form)

NAME	ADDRESS (street, city, state and zip code)
<u>Nat's Bank Trust of Sycamore</u>	<u>230 W. State St. Sycamore IL 60178 1489</u>
<u>Farmers National Co.</u>	<u>1201 S. Veterans Pkwy Springfield IL</u>
<u>Steininger, C &amp; Stravel</u>	<u>8 S 66th McCannon Rd Sugar Grove IL 60564</u>
<u>Nagel, Mary</u>	<u>43 W 1690 Prairie St. Sugar Grove IL 60564</u>
<u>O'Connell, Ed &amp; Janice</u>	<u>8 S 525 Mitchell Rd Sugar Grove IL 60564</u>

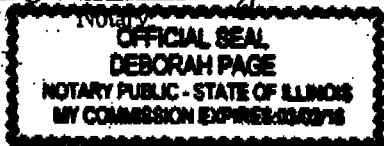
By:

Ted McCannon  
(Property Owner or Agent)

Subscribed and sworn to before me

this 17 day of May, 2013

Deborah Page



LEGAL DESCRIPTION OF BEAULIEU TRACT:

That part of the Southwest Quarter of Section 29, Township 38 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at a point in the center of Mighell Road which is North  $86^{\circ}07'00''$  West, 3987.9 feet and South  $00^{\circ}35'00''$  East, 578.2 feet from the Northeast Corner of the Southeast Quarter of said Section 29; thence South  $00^{\circ}49'00''$  East, along the centerline of Mighell Road, 1220.70 feet to an iron pipe monument at an angle point therein; thence South  $31^{\circ}15'00''$  West, along said centerline, 1067.24 feet to the Southeast Corner of a Tract conveyed to Robert C. Konicek and Diane A. Konicek by Warranty Deed recorded as Document 97K037976 on June 12, 1997, for the point of beginning; thence South  $89^{\circ}41'34''$  West, 350.68 feet to an iron pipe monument at a Southwest Corner of said Konicek Tract; thence North  $00^{\circ}39'10''$  West, along a monumented Westerly Line of said Konicek Tract, 477.75 feet; thence North  $89^{\circ}20'50''$  East, perpendicular to the last described course, 649.40 feet to said centerline of Mighell Road; thence South  $31^{\circ}15'00''$  West, along said centerline, 565.25 feet to the point of beginning in Sugar Grove Township, Kane County, Illinois and containing 5.5000 acres.

**VILLAGE OF BIG ROCK**  
**KANE COUNTY, ILLINOIS**



June 12, 2013

Keith Berkhout, Building & Zoning Division  
Kane County Development & Community Services Department  
County Government Center  
719 Batavia Avenue  
Geneva, IL 60134

RE: RKM Properties, LLC  
Reason: Rezoning From F – Farming; to F-1 Rural Residential

Dear Keith,

The Village of Big Rock Board of Trustees reviewed your letter with the enclosed zoning map amendment application at their meeting last night.

They have no objections to the proposed map amendment and believe it will enhance the community.

Sincerely,

Dean Hummell, President

Cc: Ted McCannon



**Zoning Request Report**  
County of Kane

Kane County Development  
719 Batavia Ave  
Geneva, IL 60134  
Phone: (630) 232-3492  
Fax: (630) 232-3411

TO: Kane County Zoning Board Of Appeals  
Kane County Development Committee  
County Board Member District  
Janice Hill  
Petitioner

Carl Scheodel

Mark VanKerkhoff

Monica Meyers

**PETITION NUMBER** 2013-4300 **Date** 06/04/2013

GENERAL INFORMATION

APPLICANT: TED MCCANNON

PO BOX 470  
SUGAR GROVE 60554

PURPOSE: TO REZONE THE PROPERTY TO ALLOW FOR CREATION OF TWO RESIDENTIAL PARCELS. ONE WOULD BE FOR AN EXISTING HOME, ANOTHER TO REPLACE A HOME THAT WAS ON THE PROPERTY SEVERAL DECADES AGO.

EXISTING ZONING: F - FARMING;

REQUESTED ACTION: F-1 - RURAL RESIDENTIAL;

SIZE: 5.50 ACRES

LOCATION: ON THE WEST SIDE OF MIGHELL ROAD, APPROXIMATELY 1/2 MILE SOUTH OF PRAIRIE STREET, SECTION 29, SUGAR GROVE TOWNSHIP (8N809 MIGHELL ROAD) (14-29-300-004)

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

EXISTING LAND USE: RESIDENTIAL; AGRICULTURAL;

LAND USE PLAN DESIGNATION: AGRICULTURAL

ZONING HISTORY: NO PREVIOUS REQUESTS FOR THIS PARCEL

APPLICABLE LAND USE REGULATION: ARTICLE VIII, SECTION 8.2 OF THE KANE COUNTY ZONING ORDINANCE

June 3, 2013

RKM Properties, LLC  
Rezoning from F to F-1

**Special Information:** The petitioners are interested in purchasing a 5.5 acre portion of the larger farm property. This area contains an older home as well as the home site of another home which once existed on the property. The petitioners are interested in landmarking and rehabbing the existing home which may date back to the 1800's. They are also interested in creating a second residential parcel to allow them to build a new home to replace the one demolished sometime around the 1960's. In addition, the property has two agricultural structures of unique construction with historic value. One structure is a round corn crib constructed with perforated concrete block walls. The other is a large gable roof storage building made with concrete blocks laid in a way that creates the illusion of walls being of wood siding. The petitioners desire to preserve the 1800's farm house and unique structures is consistent with the Kane County Historic Preservation Plan and the 2040 Plan.

**Analysis:** The Kane County 2040 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.

**Recommendation:** The Kane County Technical Staff recommends approval of the rezoning request.

**Findings of Fact:**

1. The rezoning will help preserve a historic farmstead.

Attachments: Location Map  
Township Map





# Eco CAT Ecological Compliance Assessment Tool

1 of 2 100%

Find | Next

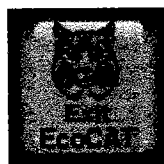
ILLINOIS



**Applicant:** Environmental Design Services  
**Contact:** Ted McCannon  
**Address:** 45W134 Raymond Road  
 Big Rock, IL 60511

**Project:** Beaulieu Sky Farm  
**Address:** 8S890 Mighell Road, Sugar Grove

**IDNR Project Number:** 1313944  
**Date:** 05/16/2013  
**Alternate Number:** n/a



*Description:* Re-zoning from Farming to 3.3 and 2.2 acre F1 parcel

### Natural Resource Review Results

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



# COUNTY OF KANE

**DEVELOPMENT & COMMUNITY  
SERVICES DEPARTMENT**

Mark D. VanKerkhoff, AIA, Director



**County Government Center**

719 Batavia Avenue

Geneva, IL 60134

Phone: (630) 232-3480

Fax: (630) 232-3411

**NOTICE TO:** All adjacent and adjoining property owners of properties located at 8S809 Mighell Road, Section 29, Sugar Grove Township (14-29-300-004).

**FROM:** Kane County Building & Zoning Division  
Keith Berkhout, Zoning Planner

**DATE:** May 28, 2013

**RE:** Zoning Board of Appeals Public Hearing

NOTICE IS HEREBY GIVEN that the Kane County Zoning Board of Appeals has received a petition for a public hearing from RKM Properties, LLC.

THE PETITIONER IS REQUESTING a rezoning from F-District Farming to F-1 District Rural Residential which will allow for two residential parcels.

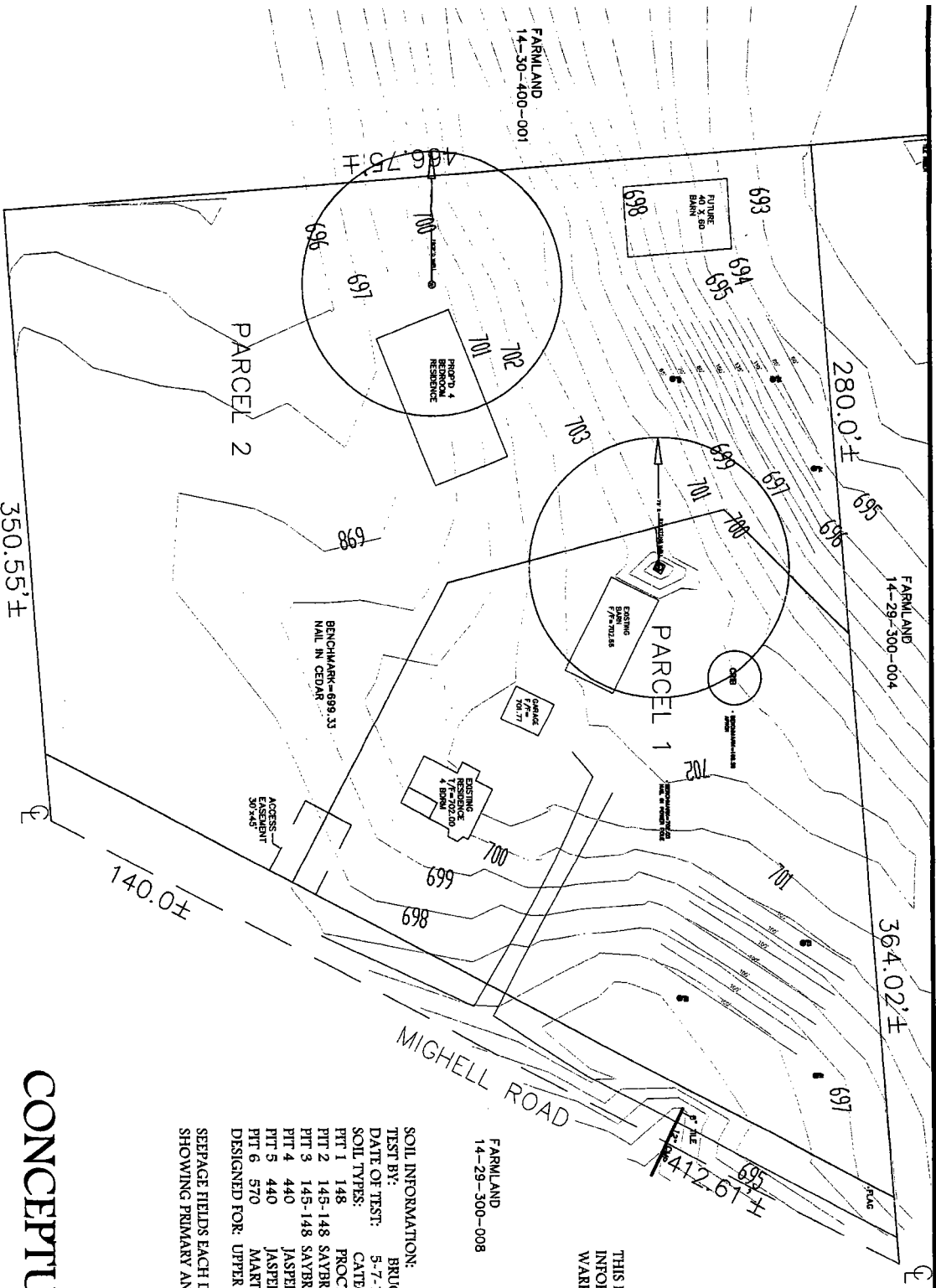
NOTICE IS ALSO GIVEN that a public hearing to consider said request will be held before the Kane County Zoning Board of Appeals on June 10, 2013, A.D., at the Kane County Government Center, 719 S. Batavia Avenue, Geneva, IL at 7:00 p.m.. Said Notice was published in the Aurora Beacon News on May 26th, 2013. All interested parties are invited to attend the public hearing, present testimony for or against the petition and cross-examine witnesses presenting testimony for or against the petition.

DOCUMENTS ARE ON FILE and available for public inspection during regular business hours at the Kane County Development Department, Kane County Government Center, 719 S. Batavia Ave., Geneva, IL. **If you have any further questions, please call Keith Berkhout at (630) 232-3495.**

# BEAULIEU SKY FARM

TOTAL AREA=5.5 ACRES  
PARCEL 1 = 2.2± ACRES  
PARCEL 2 = 3.3± ACRES

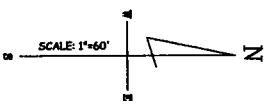
## CONCEPTUAL PLAN



THIS IS NOT A PLAT OF SURVEY.  
INFORMATION BELIEVED ACCURATE, BUT NOT  
WARRANTED.

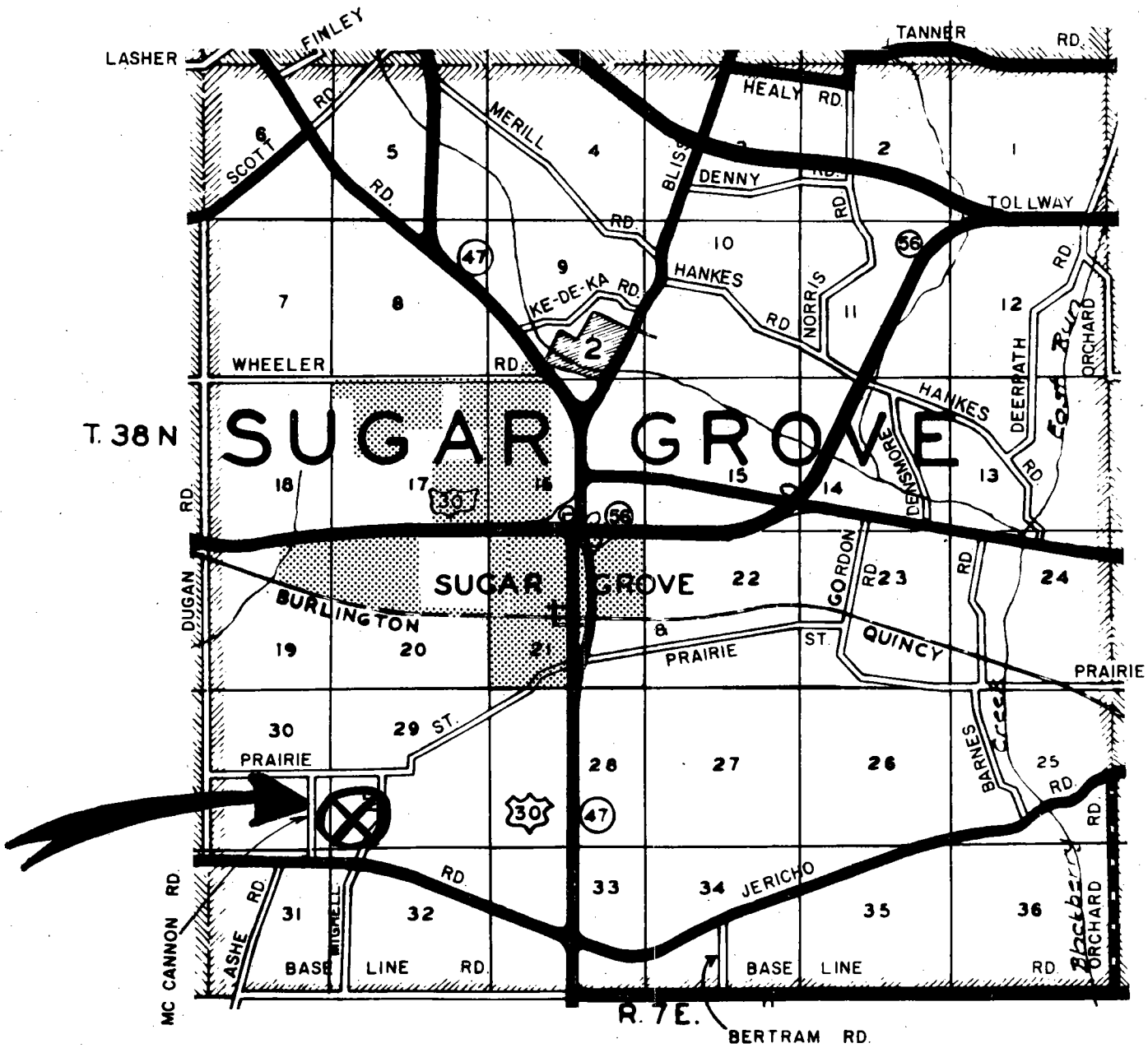
FARMLAND  
14-29-300-008

SOIL INFORMATION:  
TEST BY: BRUCE PUTMAN  
DATE OF TEST: 5-7-13  
SOIL TYPES: CATEGORY:  
PT 1 148 PROCTOR  
PT 2 145-148 SAYBROOK-PROCTOR  
PT 3 145-148 SAYBROOK-PROCTOR  
PT 4 440 JASPER  
PT 5 440 JASPER  
PT 6 570 MARTINSVILLE  
DESIGNED FOR: UPPER MODERATE PERMEABILITY  
SEWAGE FIELDS EACH DESIGNED FOR 4 BEDROOMS  
SHOWING PRIMARY AND SECONDARY EACH



**LE\*D\*S** ENVIRONMENTAL DESIGN SERVICE  
(630) 568-4154 FAX (630) 568-3100  
48W134 Raymond Road P. O. Box 470  
Sugar Grove, IL 60054-0470

JOB NUMBER  
**13-115**



PLAT OF SURVEY OF  
 PART OF THE SOUTHWEST QUARTER OF SECTION 29, T38N-R7E, 3rd PM  
 SUGAR GROVE TOWNSHIP KANE COUNTY ILLINOIS

(N00°40'00"W = Deed)  
 N00°39'10"W 477.75'

West Line of a tract conveyed to Robert C. Konicek and Diane A. Konicek by Warranty Deed recorded as Document 97K037976 on June 12, 1997.

Southeast Corner of a tract conveyed to Robert C. Konicek and Diane A. Konicek by Warranty Deed recorded as Document 97K037976 on June 12, 1997.

Southeast Corner of a tract conveyed to Robert C. Konicek and Diane A. Konicek by Warranty Deed recorded as Document 97K037976 on June 12, 1997.

5.5000 Acres  
 (5.0724 Acres excluding road)

S31°15'00"W 350.68'  
 (S89°44'00"W 350.50' = Deed)

N89°20'50"E 649.40'  
 610.62'

Centerline  
 S31°15'00"W 565.25'  
 S31°15'00"W 1067.24'  
 (1067.40' = Deed)

MIGHELL ROAD

(1220.70' = Deed)  
 S00°49'00"E  
 1219.70'

N86°07'00"W 399.750'  
 One Chain Line

East Line of the Southeast Quarter of Section 29, T38N-R7E

S78.20'  
 S00°35'00"E

- Indicates Iron Stake Found
  - Indicates Iron Stake Set
  - Indicates Line of Fence
- NOTE: This property is commonly known as 85890 Mighell Road

SCALE  
 1"=50'

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State of Illinois }  
 County of Kendall } SS

I, Phillip D. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., state that I have surveyed and located the visible improvements upon the above described tract as shown by the plot hereon drawn which is a representation of said survey. This professional service conforms to the current Illinois minimum standard for a boundary survey.

Dated May 29, 2013 at Yorkville, Illinois

Phillip D. Young  
 Illinois Professional Land Surveyor No. 2678 (Expires 11/30/14)

JOB NO.	13064
JOB NAME	BEAULIEU
DWG FILE	13064

Phillip D. Young and Associates, Inc.  
 LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

1107B South Bridge Street  
 Yorkville, Illinois 60560  
 Telephone (630)553-1580