



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 Carl Scheodel Mark VanKerkhoff Monica Meyers
Petitioner

PETITION NUMBER 2015-4372 **Date** 12/29/2015

GENERAL INFORMATION

APPLICANT: DEVELOPMENT PROPERTIES, INC
JOHN THORNHILL
44 WHITE OAK CIRCLE
ST. CHARLES 60174

PURPOSE: REZONE THE PORTION OF THE PROPERTY EXISTING FARMETTE FROM F TO F-1 TO ALLOW THE OWNERS TO SELL IT

EXISTING ZONING: F - FARMING;

REQUESTED ACTION: F-1 - RURAL RESIDENTIAL;

SIZE: 5.50 ACRES

LOCATION: ON THE SOUTH SIDE OF BEITH ROAD, APPROXIMATELY 1/2 MILE WEST OF THATCHER ROAD, SECTION 20, VIRGIL TOWNSHIP (49W289 BEITH ROAD) (07-20-400-004)

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

EXISTING LAND USE: AGRICULTURAL;

LAND USE PLAN DESIGNATION: AGRICULTURAL

ZONING HISTORY: NO PREVIOUS REQUESTS FOR THIS PROPERTY

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

December 30, 2015

Herbert Ruh Trust
Rezoning property from F to F-1

Special Information: The 59 acre property contains an existing farmhouse from around 1900. The petitioners are local farmers and bought the property for the farmland. They have no need for the home and are seeking a rezoning to allow them to sell it off from the farmland. They will continue the remaining existing farmland.

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.

Findings of Fact:

1. The rezoning will allow the existing home to be sold off from the farmland. The petitioners are farmers and bought the property for the farmland.

Attachments: Location Map
Township Map

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: Farmstead

Proposed zoning of the property: F1 District-Rural Residential

Proposed use of the property: Residential

If the proposed Map Amendment is approved, what improvements or construction is planned? (An accurate site plan may be required) None

Attachment Checklist

- Plat of Survey prepared by an Illinois Registered Land Surveyor – attached as Exhibit B.
- Legal description – attached as Exhibit A
- 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 (make check payable to Kane County Development Department) = \$1125.00

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.

Record Owners: Alvena H. Ruh Herbert G. Ruh 12-06-2015
 Alvena H. Ruh, as Trustee Herbert G. Ruh, as Trustee Date

Applicant or Authorized Agent: John A. Thornhill 12-06-2015
 John A. Thornhill 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.*

Ruh Rezoning
Name of Development/Applicant

December 6, 2015
Date

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

Since no changes in use are anticipated, except for separation of the subject farmstead from the tillable land, the present use will continue to be consistent with existing scattered single-family homes in the area.

2. What are the zoning classifications of properties in the general area of the property in question?
F District-Farming predominates and two F1 District-Rural Residential parcels are about ½ mile to the east.

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

The size of the subject property renders it inappropriate for the existing classification and must be rezoned to F1; the tillable land will continue to be used for a legitimate farming operation.

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

There is little or no development in the general area except for isolated parcels, like the subject property, that lend themselves to very limited uses.

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

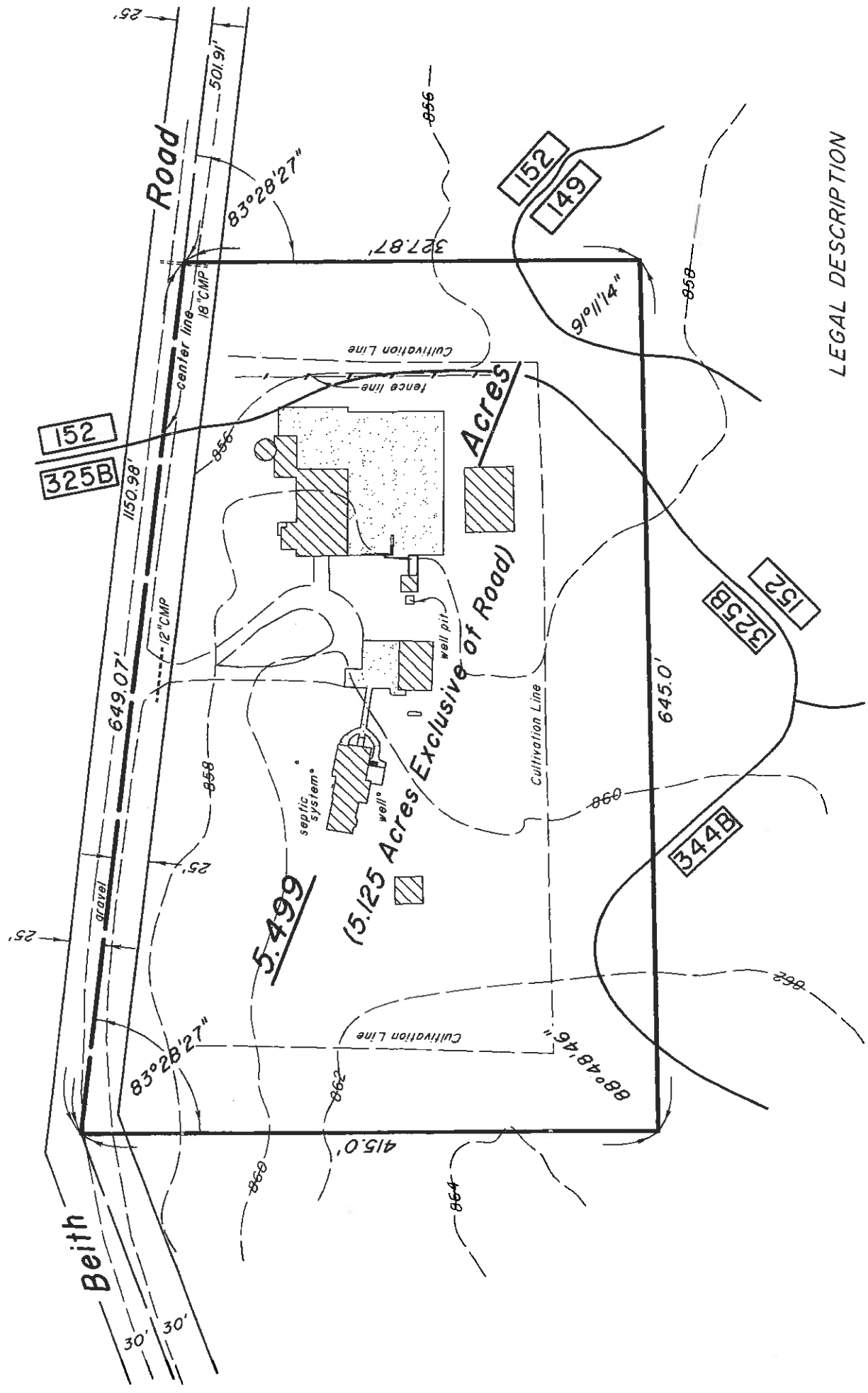
The proposed re-classification and use of the subject property is anticipated within the text of the 2040 Land Use Plan under *Section 3.2 Agriculture* and is, therefore, consistent with the 2040 Plan.

EXHIBIT A

RUH PROPERTY

That part of the Southeast Quarter of Section 20, Township 40 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the southeast corner of said Southeast Quarter; thence westerly along the south line of said Quarter 40 rods; thence northerly parallel with the east line of said Quarter 682.02 feet to the center line of Beith Road; thence westerly along said center line 23.96 feet to an angle in said center line; thence northwesterly along said center line 1150.98 feet to an angle in said center line for a point of beginning; thence southerly parallel with said east line 415.0 feet; thence easterly parallel with said south line 645.0 feet; thence northerly parallel with said east line 327.87 feet to said center line; thence northwesterly along said center line 649.07 feet to the point of beginning in Virgil Township, Kane County, Illinois and containing 5.499 acres

Site Development Plan of
Part of the Southeast Quarter of Section
Virgil Township
Kane County



LEGAL DESCRIPTION

That part of the Southeast Quarter of Section 20 Towns

Hurbert Ruh Trust
Alvena Ruh Trust

20

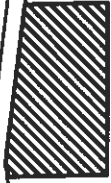
Union Ditch No. 3

Union Ditch No. 3

Virgil Ditch No. 1

Union Ditch No. 3

BEITH RD.



RD.

THATCHER

BEITH RD.

7

6

5

4

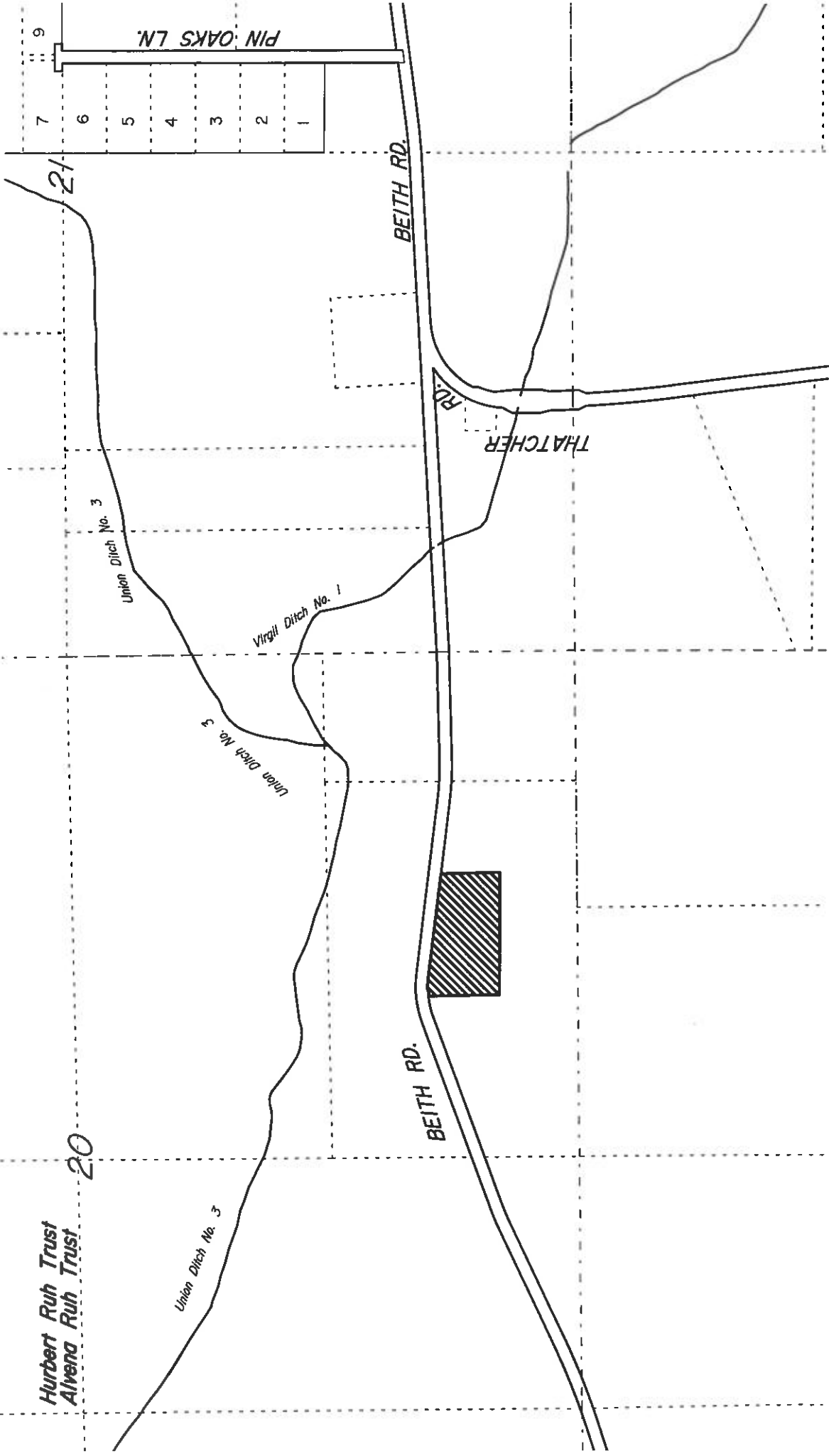
3

2

1

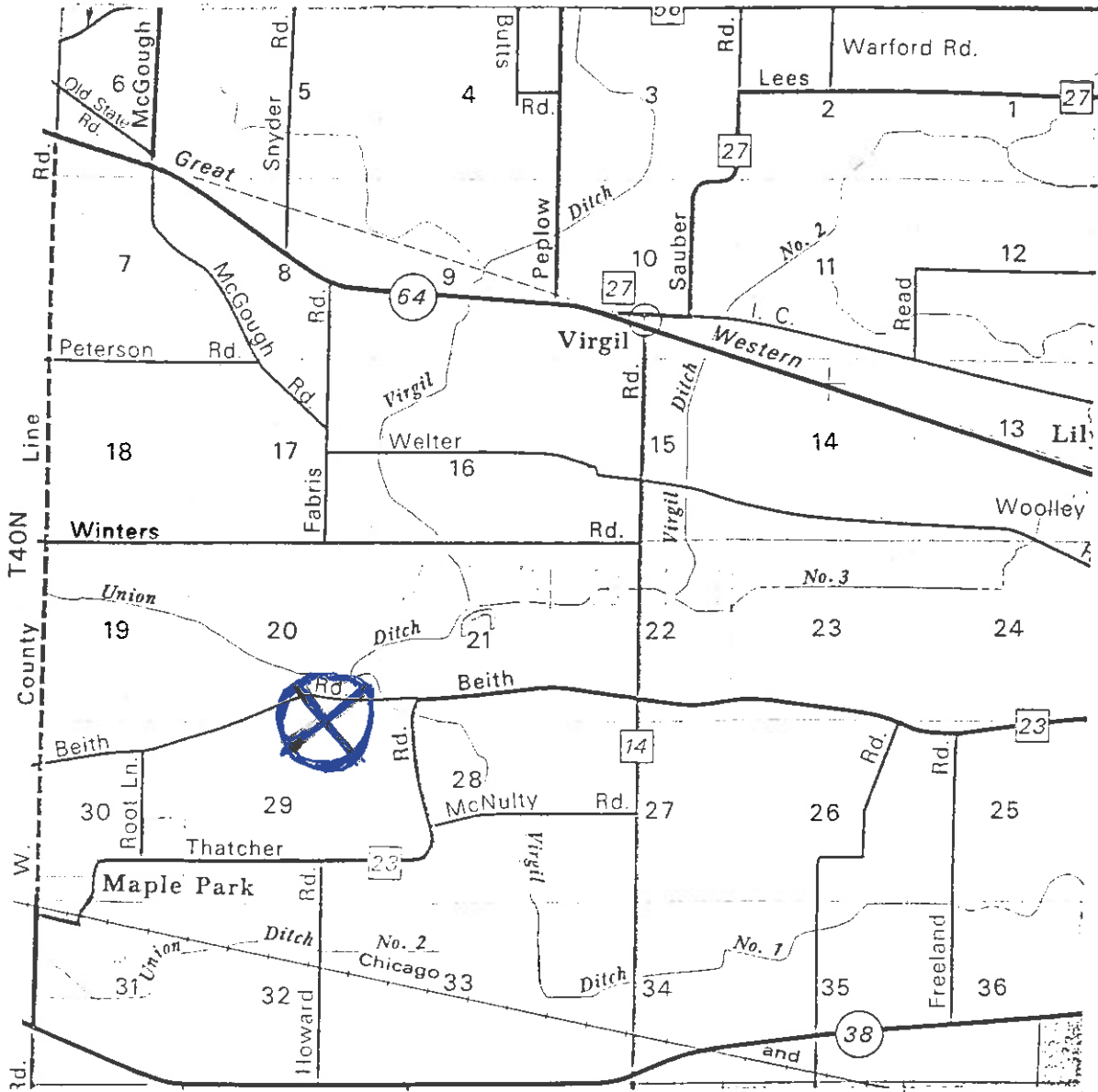
9

PIN OAKS LN.



VIRGIL twp.
T.40N - R.6E

map 7



1 MILE