

KANE COUNTY DEVELOPMENT DEPARTMENT

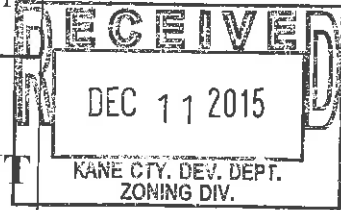
Zoning Division, Kane County Government Center

719 Batavia Avenue

Geneva, Illinois 60134

Office (630) 444-1236 Fax: (630) 232-3411

Received Date



D2-2015-0037

**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.**

<b>1. Property Information:</b>	<b>Parcel Number (s):</b> 11-02-351-014 / <i>LEGAL DESCRIPTION ATTACHED.</i>
	<b>Street Address (or common location if no address is assigned):</b> I N 026 LaFox Road, LaFox, Illinois

<b>2. Applicant Information:</b>	<b>Name</b> Tri-City Land Management, L.L.C. An Illinois Limited Liability Company	<b>Phone</b> (630) 444-8277 (Justin Heinz)
	<b>Address</b> 77 N. First Street Geneva, Illinois 60134	<b>Fax</b>
		<b>Email</b> justin_heinz@shodeen.com

<b>3. Owner of record information:</b>	<b>Name</b> Same as Par. 2 above.	<b>Phone</b>
	<b>Address</b>	<b>Fax</b>
		<b>Email</b>

**Zoning and Use Information:**

2040 Plan Land Use Designation of the property: \_\_\_\_\_

Current zoning of the property: Restricted Business (RB)

Current use of the property: Vacant

Proposed zoning of the property: Residential (RI)

Proposed use of the property: Single-Family Residence

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.
- 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/orep/nrrc/aar.htm](http://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
- 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.**

Tri-City Land Management, L.L.C.  
An Illinois Limited Liability Company

December 10, 2015

Record Owner

Date

BY:

*[Handwritten Signature]*

12/10/15

Applicant or Authorized Agent

Date



February 22, 2016

Tri-City Land Management  
Rezoning from RB-Restricted Business to R-1 District One Family Residential

**Special Information:** The petitioner is requesting a rezoning which would allow the existing home to be used for single family residential use again. The parcel was rezoned in 2010 to RB-Restricted Business to allow for a small alarm company to use the home for its offices. That company is no longer there and the County has received several inquiries about using the home again for residential use. The petitioner has a current contract buyer for this property who would like to buy the property to live there.

**Analysis:** The Kane County 2040 Land Resource Management Plan designates this area as Rural Residential. The proposed residential use of the home will match the trend and character of other similar residential properties to the north in the LaFox Historical District.

**Findings of Fact:**

1. The rezoning would allow the home to be used for residential use again.

Attachments: Location Map  
Township Map

## Findings of Fact Sheet – Map Amendment and/or Special Use

- 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

Tri-City Land Management Company, L.L.C.  
An Illinois Limited Liability Company  
Name of Development/Applicant

12/10/15  
Date

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

The subject property was actually previously zoned residential but approximately five (5) years ago the property was re-zoned to Restricted Business status. Given the location of the property it would be extremely difficult for traffic to flow in and out of the property for business purposes and the Applicant believes that a Residential zoning status is more in line with the nature and location of the property.

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

There are a variety of zoning classifications in the immediate area of the subject property but an R1 Zoning classification is appropriate for the subject property as well as the surrounding area.

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

The Applicant respectfully believes that the current zoning classification of the property (Restricted Business –RB) is not suitable for the premises given the location of the property and the traffic constraints that preclude a safe flow of traffic to and from the property. The Applicant believes that a Residential zoning classification is much more appropriate for the subject property.

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

The surrounding area is becoming more developed which again raises concerns about the traffic flow from the subject property if a business were to be operated from the subject property.

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

The projected use of the property as residential is fully in line with the terms of the Kane County 2040 Land Use Plan.

**EXHIBIT "A"**  
Legal Description

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT AN IRON STAKE MARKING THE SOUTHWEST CORNER OF THE SAID SOUTHWEST 1/4 IN THE CENTER OF AN EAST AND WEST HIGHWAY; THENCE NORTH 87 DEGREES 10 MINUTES EAST ALONG THE SOUTH LINE OF THE SAID SOUTHWEST 1/4 1003.6 FEET TO AN IRON STAKE FOR THE POINT OF BEGINNING; THENCE NORTH 0 DEGREES 5 MINUTES EAST PARALLEL TO THE EAST LINE OF THE WEST 1/2 OF THE SAID SOUTHWEST 1/4 185.8 FEET TO AN IRON STAKE; THENCE SOUTH 89 DEGREES 55 MINUTES EAST 320 FEET TO AN IRON STAKE IN THE EAST LINE OF THE SAID WEST 1/2 OF THE SOUTHWEST 1/4; THENCE SOUTH 0 DEGREES 5 MINUTES WEST ALONG THE EAST LINE OF THE SAID WEST 1/2 169.5 FEET TO AN IRON STAKE IN THE SOUTH LINE OF THE SAID SOUTHWEST 1/4 MARKING THE SOUTHEAST CORNER OF THE SAID WEST 1/2 OF THE SOUTHWEST 1/4; THENCE SOUTH 87 DEGREES 10 MINUTES WEST ALONG THE SAID SOUTH LINE OF THE SOUTHWEST 1/4 320.4 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF BLACKBERRY, KANE COUNTY, ILLINOIS

EXCEPTING THEREFROM THAT PORTION CONVEYED FOR HIGHWAY PURPOSES BY DOCUMENT 547092.

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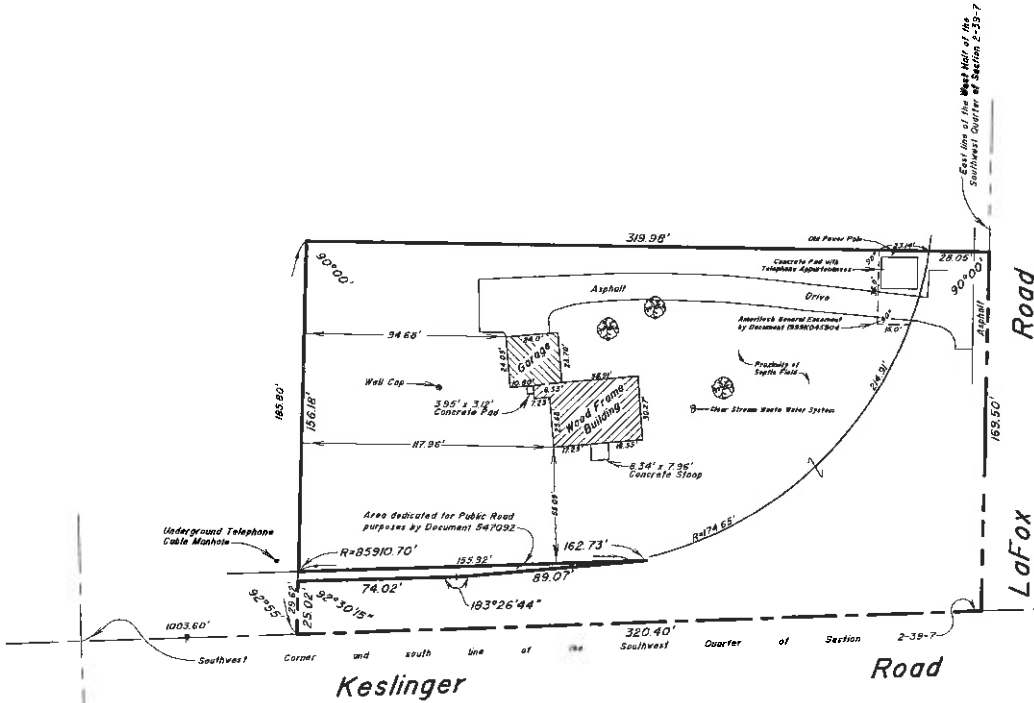
ALTA Commitment (06/17/2006)

Page 3

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Plat of Boundary Survey of  
**Part of the Southwest Quarter of Section 2-39-7**  
**Blackberry Township Kane County Illinois**



Neither the placement of boundary monumentation,  
 nor witness points, were a condition of this survey.  
 0.878 Acre = Area of tract exclusive  
 of road areas.

38,2467

State of Illinois )  
 ) ss This is to certify that I, Kathleen G. Grozis, an Illinois Professional Land Surveyor of Sheaffer & Roland, Inc., have surveyed and located the improvements on  
 County of Kane ) that part of the West Half of the Southwest Quarter of Section 2, Township 39 North, Range 7 East of the Third Principal Meridian described as follows:  
 Commencing at the southwest corner of said Quarter; thence easterly along the southerly line of said Quarter 1003.60 feet for the point of beginning; thence  
 northerly parallel with the east line of said West Half, forming an angle of 92°55' with the last described course (measured clockwise therefrom) 185.80 feet; thence easterly at  
 right angles to the last described course 319.98 feet to said east line; thence southerly along said east line 169.50 feet to the southeast corner of said West Half; thence westerly  
 along the southerly line of said Quarter 320.40 feet to the point of beginning, excepting therefrom that part thereof dedicated for Public Road purposes by Document 547092, in  
 Blackberry Township, Kane County, Illinois and containing 1.292 acres as shown by the plat hereon drawn which is a correct representation of said survey and location and that this  
 professional service conforms to the current Illinois minimum standards for a boundary survey. All distances are given in feet and decimal parts thereof.

Dated at Geneva, Illinois, March 15, 2010

Illinois Professional Land Surveyor No. 3593

SHEAFFER & ROLAND, INC.

Consulting Engineers and Land Surveyors

(Illinois Professional Design Firm No. 2267)

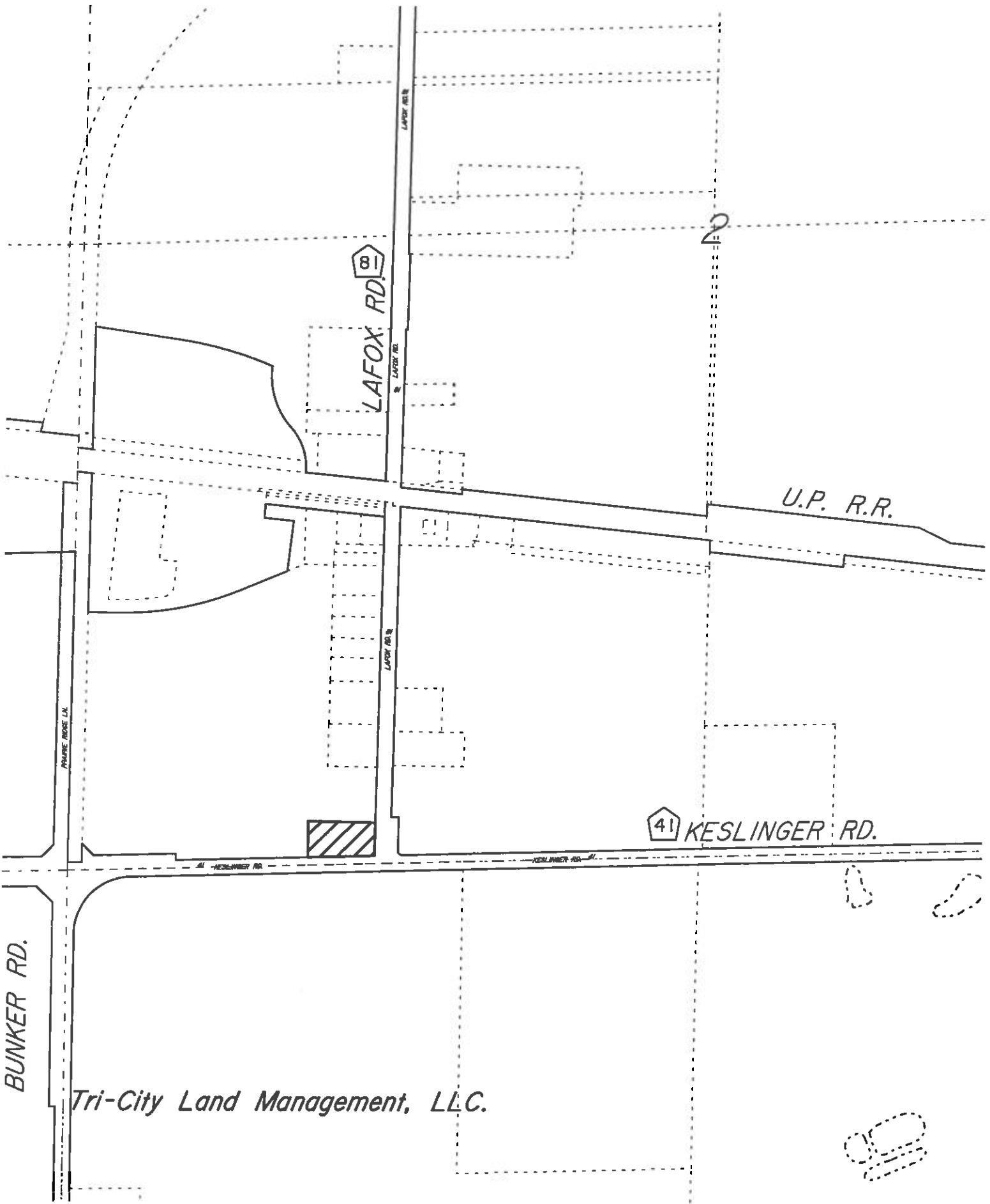
611 Stevens Street

Geneva, Illinois 60134

(630) 208-9898



License Renewal/Date of  
 Expiration = 11/30/2010



8

LAFOX RD.

41

KESLINGER RD.

U.P. R.R.

BUNKER RD.

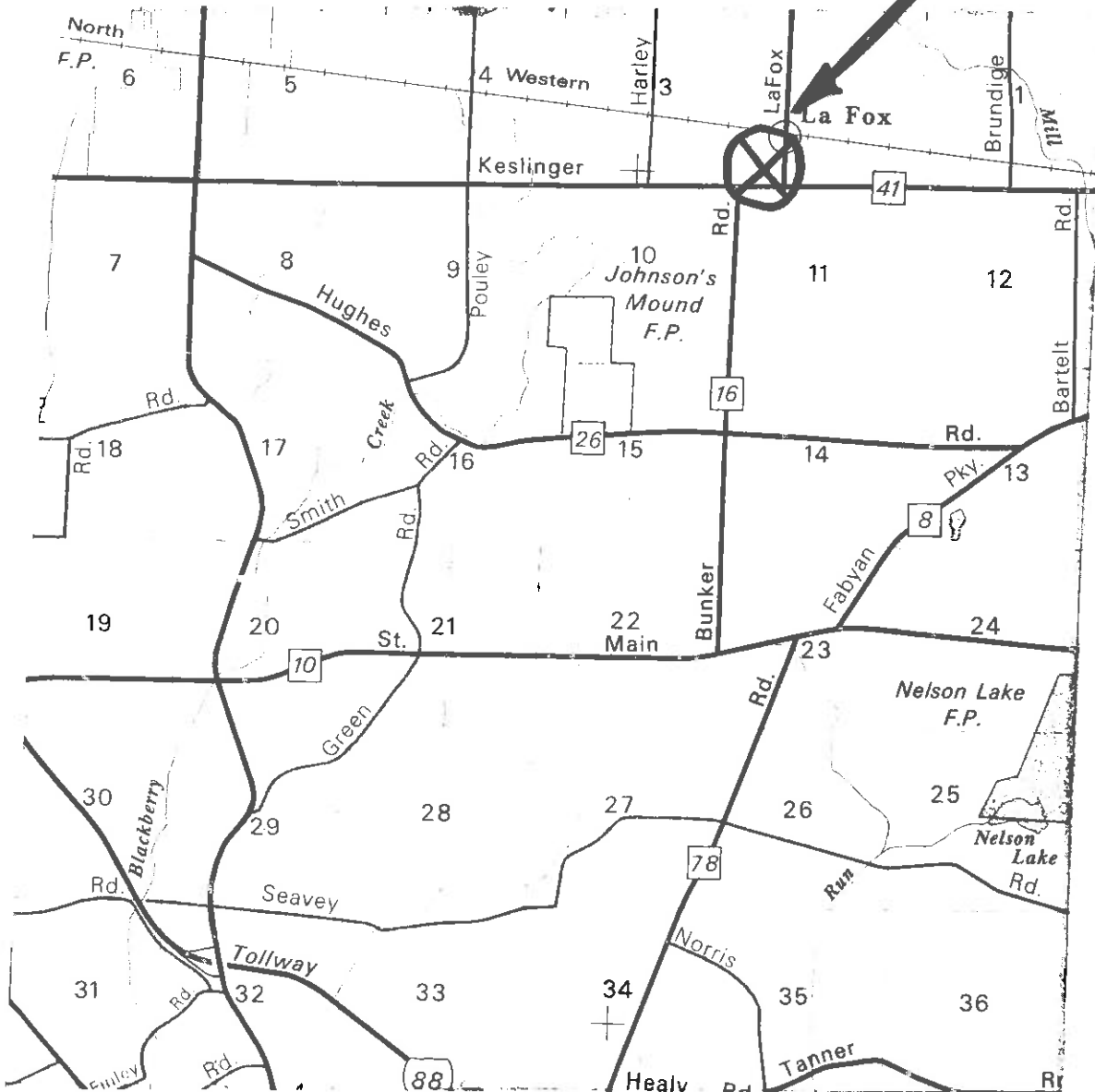
Tri-City Land Management, LLC.



# BLACKBERRY twp.

T.39N - R.7E

map 11



1" = MILE