

**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*

PLAZ  
2017-0000558

**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):  11-19-400-008
	Street Address (or common location if no address is assigned):  44W241 Main Street Rd., Elburn, Illinois 60119

2. Applicant Information:	Name Donald J. Dierschow	Phone 630-638-8308
	Address PO Box 3307	Fax
	St. Charles, Illinois 60174	Email ddierschow@comcast.net

3. Owner of record information:	Name Donald J. Dierschow	Phone 630-638-8308
	Address PO Box 3307	Fax
	St. Charles, Illinois 60174	Email ddierschow@comcast.net

**Zoning and Use Information:**

2040 Plan Land Use Designation of the property: Countryside Estate Residential

Current zoning of the property: F - Farming

Current use of the property: Single Family Residential and Farming

Proposed zoning of the property: E1 - Estate Residential

Proposed use of the property: Single Family Residential and Farming

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

Plan to subdivide parcel into two lots, construct one additional residence and

continue to farm rear of property.

**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.

Donald Dierschow  
Record Owner

6-29-17  
Date

Donald Dierschow  
Applicant or Authorized Agent

6-29-17  
Date

## 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.

Dierschow

Name of Development/Applicant

Date

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

The existing use is a single family residence and farmland on a 10.67 acre parcel zoned F. Petitioner proposes to subdivide the existing parcel into two parcels of approximately equal size so that a second single family residence may be built.

2. What are the zoning classifications of properties in the general area of the property in question?  
F - North and East, E1 - Adjoining West, F- Generally West, Forest Preserve South

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

Rezoning to E1 and subdividing would require a variance for E1 zoning to allow for 192 feet of frontage. Each lot will be in excess of 5 acres. Alternatively, E3 zoning would be conforming.

4. What is the trend of development, if any, in the general area of the property in question?  
The trend is Forest Preserve and larger estate lots in this general area.

5. How does the projected use of the property, relate to the Kane County 2040 Land Use Plan?  
The projected use is and will remain as the current use in the immediate future and is consistent with estate lots in the area and as proposed by the Kane County 2040 Land Use Plan. Due to the economic feasibility of farming less than 10 acres, the farming of this parcel is likely to end at some point whether zoning remains F or E1. Petitioner does not intend to terminate farming of the parcel in the near future.

# **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

## **APPLICATION FOR A VARIATION**

PLDZ-2017-0000 558

**Instructions:**

To request a variation for a property, complete this application and submit it with all required attachments to the Subdivision and Zoning Division.

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>  11-19-400-008
	<b>Street Address (or common location if no address is assigned):</b> 44W241 Main Street Rd., Elburn, Illinois 60119

<b>2. Applicant Information:</b>	<b>Name</b> Donald J. Dierschow	<b>Phone</b> 630-638-8308
	<b>Address</b> PO Box 3307	<b>Fax</b>
	St. Charles, Illinois 60174	<b>Email</b> ddierschow@comcast.net

<b>3. Record Owner Info:</b>	<b>Name</b> Donald J. Dierschow	<b>Phone</b> 630-638-8308
	<b>Address</b> PO Box 3307	<b>Fax</b>
	St. Charles, Illinois 60174	<b>Email</b> ddierschow@comcast.net

1. Impair an adequate supply of light and air to adjacent property.

Allowing a variance to decrease the required road frontage by 58 feet will not have any effect on the supply of air and light to adjacent property. These are all residential lots of at least 5 acres in size.

2. Increase the hazard from fire and other dangers to adjacent property.

Allowing a variance to decrease the required road frontage by 58 feet will not increase the hazard from fire or other dangers to adjacent property. These are all residential lots of at least 5 acres in size.

3. Diminish the value of adjacent land and buildings.

The variance will not diminish the value of adjacent land and buildings and may instead enhance their value.

4. Increase congestion or create traffic hazards.

The variance will not increase congestion or create traffic hazards. It will only allow for one additional home to be constructed on a 5+ acre parcel. This is allowed without question in E3 zoning on smaller parcels.

5. Impair the public health, safety, comfort, morals and general welfare.

The variance will not impair the public health, safety, comfort, morals or general welfare as it will simply provide an avenue for one additional home to be built.

### Attachment Checklist

- Plat of Survey prepared by an Illinois Registered Land Surveyor.
- Legal description
- Certification of Notification of adjacent property owners
- Aerial (air photo) with property clearly highlighted contact:  
The Sidwell Co., 675 Sidwell Dr., St. Charles, IL (630) 549-1000
- Trust Disclosure (If applicable)
- Application fee (make check payable to Kane County Development Department)
- Site Plan drawn to scale showing house, well and septic.

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.

Donald Dierschou  
Record Owner

6-28-17  
Date

Donald Dierschou  
Applicant or Authorized Agent

6-28-17  
Date

Zoning and Use Information:

Current zoning of the property: F - Farming

Current use of the property: Single Family Residence and farmland

Reason for Request:

Variation requested (state specific measurements):  
The existing use is a single family residence and farmland on a 10.67 acre parcel zoned F. Petitioner proposes to subdivide the existing parcel into two parcels of approximately equal size so that a second single family residence may be built.

Reason for request:  
Petitioner is seeking E1 zoning which requires a lot of no less than 5 acres and no less than 250 feet of frontage. The two resulting lots will be more than 5 acres, but will have only ~~400~~ feet of frontage.

182'

Action by Applicant on Property:

What physical characteristics would prevent the property from being used in conformity with the requirements of the Zoning Ordinance?  
The lots will not have enough frontage to meet the E1 zoning criteria.

Is the purpose of the proposed variation based on more than a desire to make money from the property? (explain)  
Yes, the owner seeks to build a residence and to conform with the neighboring large Estate lots. If the owner were seeking to make money he would seek to subdivide into many smaller parcels. That is not the goal.

Has the alleged difficulty or hardship been created by any person presently having an interest in the property? (explain)  
No. The projected use is and will remain as the current use in the immediate future and is consistent with estate lots in the area and as proposed by the Kane County 2040 Land Use Plan. Due to the economic feasibility of farming less than 10 acres, the farming of this parcel is likely to end at some point whether zoning remains F or E1. Petitioner does not intend to terminate farming of the parcel in the near future.

The Kane County Zoning Ordinance requires that the Zoning Board of Appeals find that there is a practical difficulty or some particular hardship if existing regulations are applied. The Board must also consider certain factors related to the granting of a variance. As the Applicant, you should "make your case" by explaining how your request will not:

August 25, 2017

Donald Dierschow

Rezoning from F-District Farming to E-1 District Estate Residential with a lot frontage variance (182', 68' variance)

**Special Information:** The petitioner is requesting a rezoning so the property can be subdivided into two lots and allow the construction of a new home on the new parcel. The farming activity would continue on the back of the property. Because the parcels will not meet the required 250' width in the E-1 District they are also requesting a lot width variance.

**Analysis:** The Kane County 2040 Land Resource Management Plan designates this area as Countryside Estate Residential. The gross density should not generally exceed an average of one dwelling unit per four acres of land.

**Staff recommended Finding of Fact:**

1. The rezoning will allow a new home to be built on the new parcel.

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

**PLAT OF SURVEY**  
D.F.L.S.

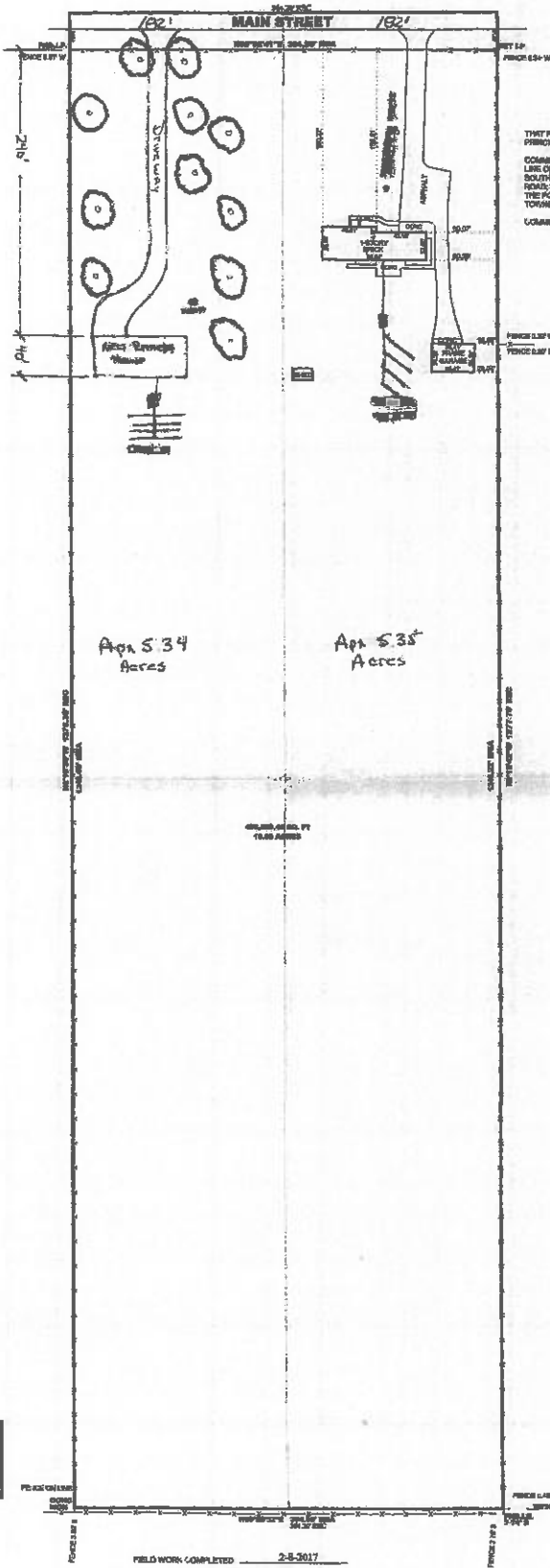
DALE FLOYD LAND SURVEYING L.L.C.  
2000 KESLINGER ROAD SUITE A  
GENEVA, ILLINOIS 60134  
PHONE: 630-252-7725 FAX: 630-252-7725  
E-MAIL: DFLS@BBOGLOBAL.NET



THAT PART OF THE SOUTH-EAST QUARTER OF SECTION 16, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER 133.64 FEET TO THE POINT OF BEGINNING; THENCE WEST ALONG SAID SOUTH LINE 268.8 FEET; THENCE NORTH 17° 00' WEST 203.8 FEET TO THE CENTER LINE OF BATAVIA-ROSELLE ROAD; THENCE EASTERLY ALONG SAID CENTER LINE 54.5 FEET TO A LINE COURSE NORTH 17° 00' WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 17° 00' EAST 127.7 FEET TO THE POINT OF BEGINNING IN THE TOWNSHIP OF BLACKSBERRY, JANE COUNTY, ILLINOIS

COMMONLY KNOWN AS: 449041 MAIN STREET ROAD, BURNING BLENDS



License expiration date 11-30-2018

**LEGEND**

FIROJR	= FOUND IRON ROD
FIROJF	= FOUND IRON PIPE
---	= FENCE
---	= BLDG. TR.
---	= BLDG. LINE
---	= BASEMENT

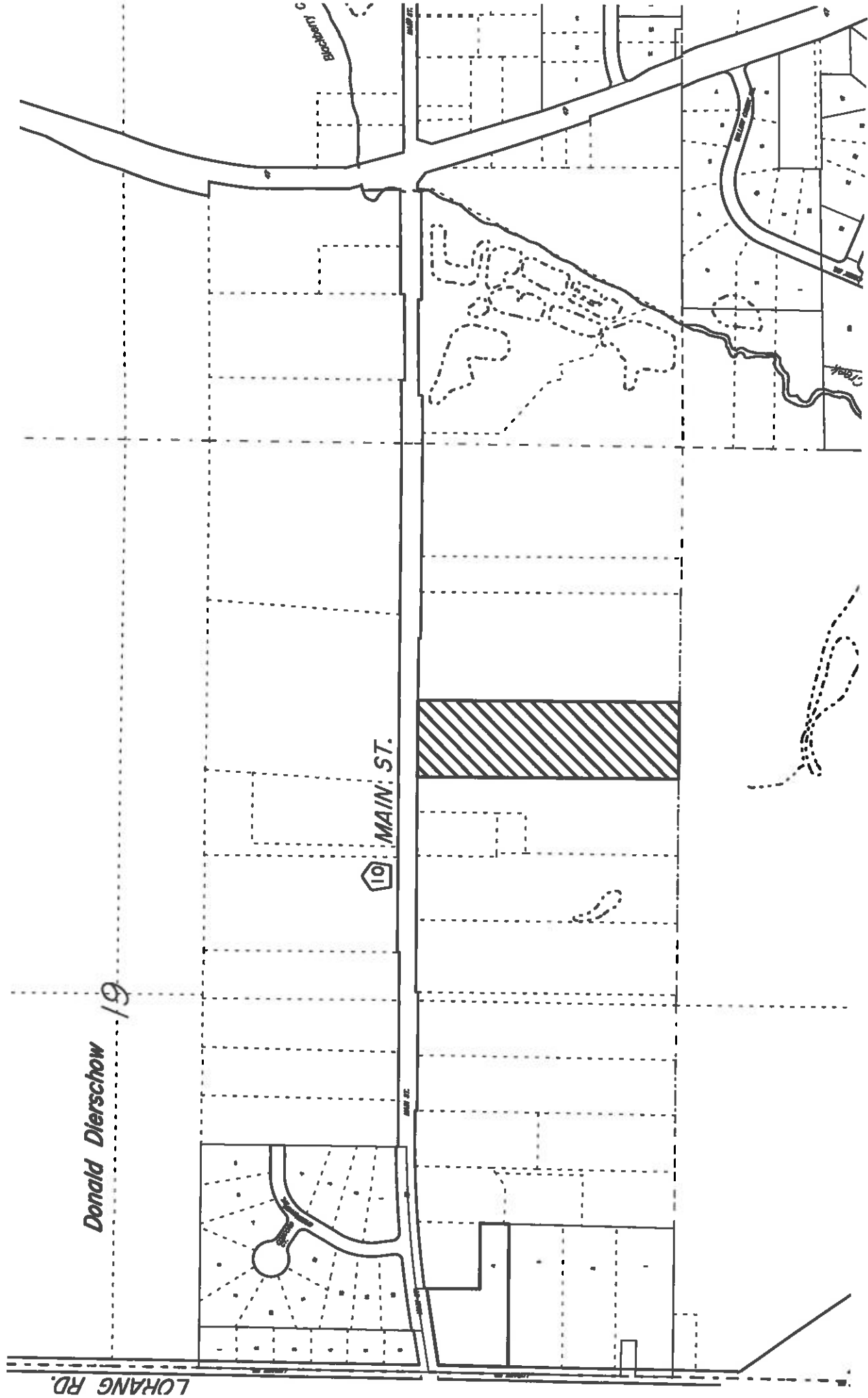
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.  
COMPARE ALL POINTS BEFORE BUILDING BY THE SAME AND AT ONCE REPORT ANY DIFFERENCES

STATE OF ILLINOIS  
COUNTY OF KANE  
WE, DALE FLOYD LAND SURVEYING L.L.C., A PROFESSIONAL DESIGN FIRM LICENSE NO. 184-001-28 DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED IN THE MANNER REPRESENTED ON THE PLAT HEREON DRAWN.  
DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.  
GENEVA, ILLINOIS 2-14 A.D. 2017  
Dale Floyd  
ILLINOIS PROFESSIONAL LAND SURVEYOR  
NO. 020-00993

FIELD WORK COMPLETED 2-8-2017  
PREPARED FOR SERAPHIN & SERAPHIN

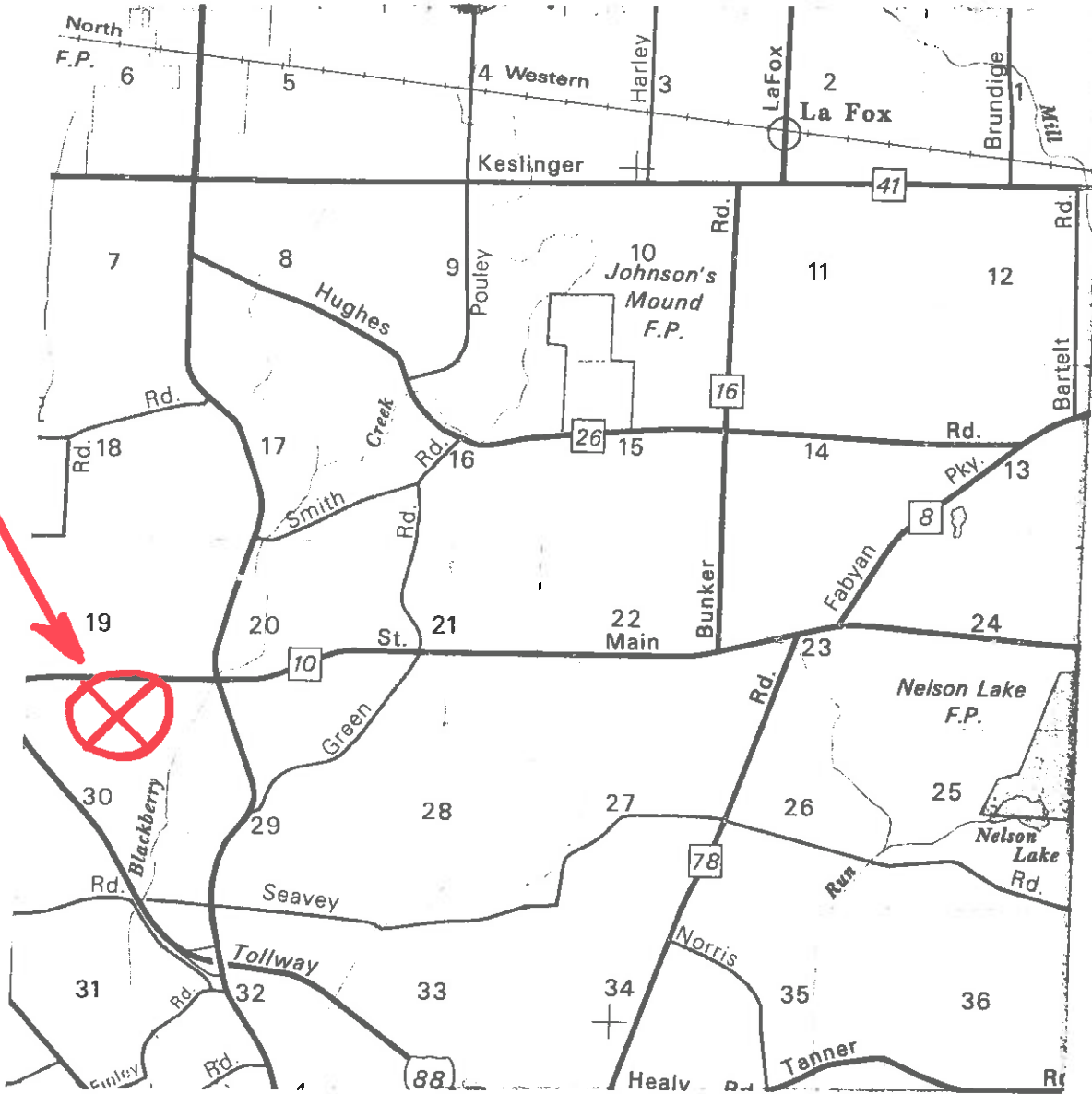
JOB NO. 177-27





**BLACKBERRY twp.**  
**T.39N - R.7E**

*map 11*



1" = MILE