

KANE COUNTY DEVELOPMENT DEPARTMENT
 Zoning Division, Kane County Government Center
 719 S. Batavia Avenue
 Geneva, Illinois 60134
 Office (630) 444-1236 Fax: (630) 232-3411

4532

<i>Received Date</i>

**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): 09-09-227-004
	Street Address (or common location if no address is assigned): 36 W 115 Silver Glen Rd. St. Charles

2. Applicant Information:	Name Gildardo Valencia	Phone 847-707-8484
	Address 852 Chasewood Dr.	Fax
	South Elgin	Email gvalencia@rdrywell.com

3. Owner of record information:	Name	Phone
	Address	Fax
		Email

Zoning and Use Information:

2040 Plan Land Use Designation of the property: Rural Residential

Current zoning of the property: Farming

Current use of the property: Vacant

Proposed zoning of the property: E-3 District - Estate

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)

3 Bedroom 2 1/2 Bath Residence with an above garage

in-law suite with 1 Bedroom and 1 Bath.

Attachment Checklist

- Plat of Survey prepared by an Illinois Registered Land Surveyor.
- Legal description
- Completed Land Use Opinion (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 <http://dnr.illinois.gov/ecopublic/>) to be filed with the Illinois Department of Natural Resources. (* This report may best be accessed with Internet Explorer on some computers, per the State)
- List of record owners of all property within 250 feet of the 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.

Record Owner _____ Date _____
Rubaldo Valh _____ 9/6/19
Applicant or Authorized Agent _____ 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.

Gildardo Valencia
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 property will match existing uses surrounding the property except for the one lot west of the property.

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

Most are E-3 Estate

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

The existing classification no longer is suitable for any use permitted per the new zoning code.

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

The area is all residential and has been for many years. The trend is still residential. Very few areas still have farming classification but not used as farming from what one can see.

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

It conforms to the 2040 Plan. The 2040 Plan shows the area being classified as "Rural Residential"

November 19, 2019

The Margaret O'Leary Trust

Rezoning from F-District Farming to E-3 District Estate Residential

Special Information: The property was reduced by a roadway taking in 2014. The petitioner is a contract purchaser interested in constructing a single family home on the property. The rezoning is required to bring the property back into conformance for residential use.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Rural Residential. This designation encourages an infill strategy between and adjacent to existing rural residential developments where prime agricultural lands will not be taken out of production.

Staff recommended Findings of Fact:

1. The rezoning will allow a single family home to be constructed on the property.

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.
2800 KESLINGER ROAD SUITE A
MARIETTA, GEORGIA 30066-7726
PHONE: 678-332-7000 FAX: 678-332-7726
E-MAIL: DFLS@BFCG-ORAL.NET

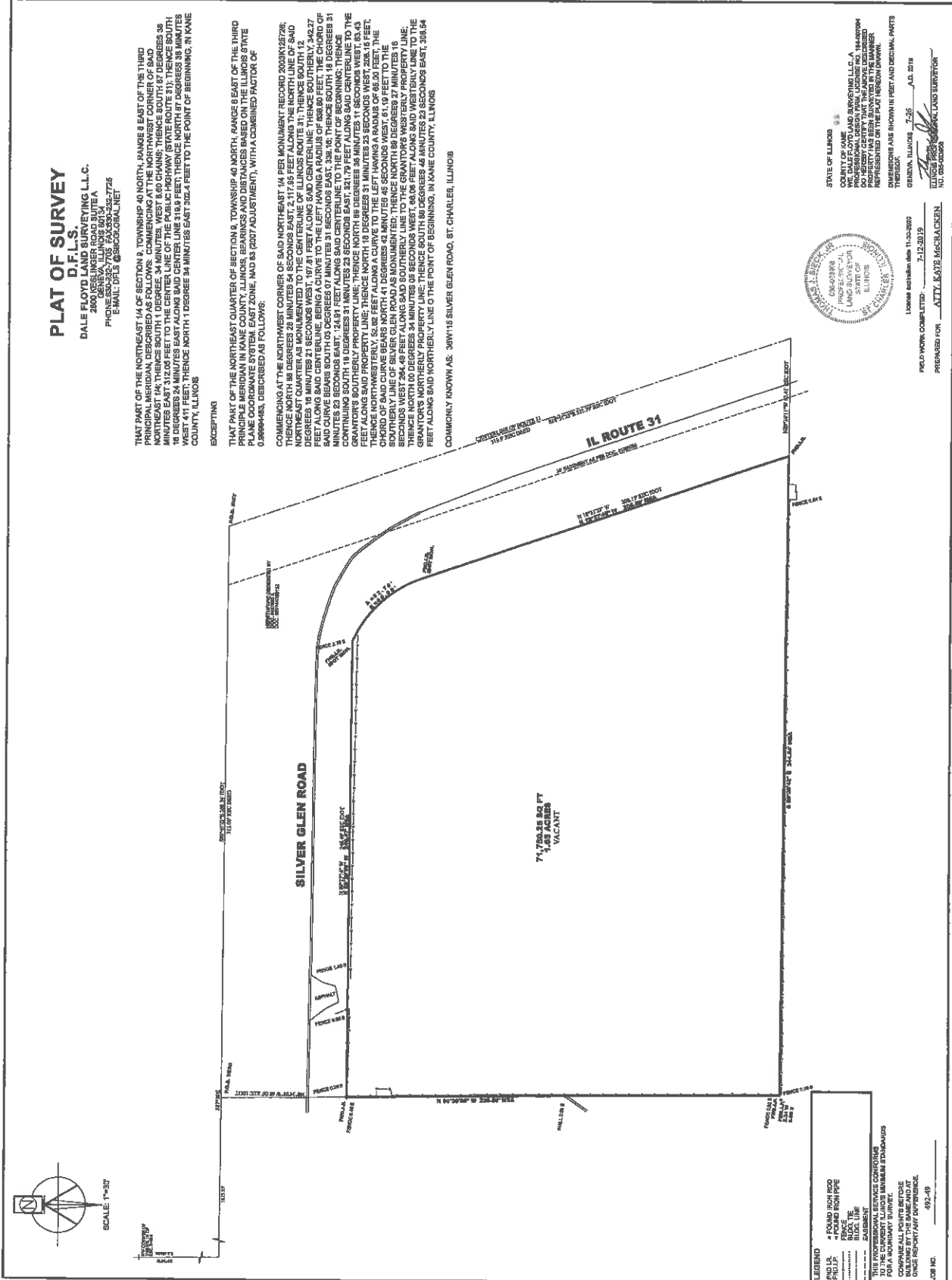
THAT PART OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPLE MERIDIAN IN KANE COUNTY, ILLINOIS, BEARING AS MONUMENTED AT THE NORTHEAST CORNER OF SAID NORTHWEST 1/4, THENCE SOUTH 1 DEGREE 14 MINUTES 10 SECONDS EAST, 312.05 FEET TO THE CENTERLINE OF THE PUBLIC HIGHWAY (STATE ROUTE 31), THENCE SOUTH 18 DEGREES 24 MINUTES EAST ALONG SAID CENTERLINE 316.8 FEET, THENCE NORTH 87 DEGREES 38 MINUTES WEST 471 FEET, THENCE NORTH 1 DEGREE 34 MINUTES EAST 302.4 FEET TO THE POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS

EXCEPTING

THAT PART OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPLE MERIDIAN IN KANE COUNTY, ILLINOIS, BEARING AS MONUMENTED AS SET FORTH IN THE PLAT COORDINATE SYSTEM, EAST ZONE, NAD 83, (2007 ADJUSTMENT), WITH A COMBINED FACTOR OF 0.9999488, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST 1/4, PER MONUMENT RECORD 00831832729, THENCE NORTH 88 DEGREES 20 MINUTES 54 SECONDS EAST, 2,117.86 FEET ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER AS MONUMENTED TO THE CENTERLINE OF ILLINOIS ROUTE 31; THENCE SOUTH 12 DEGREES 10 MINUTES 21 SECONDS WEST, 107.81 FEET ALONG SAID CENTERLINE; THENCE SOUTHERLY, 342.27 FEET ALONG A CURVE BEARING SOUTH 03 DEGREES 07 MINUTES 31 SECONDS EAST, WITH A RADIUS OF 800.00 FEET, TO SAID CURVE BEARS SOUTH 03 DEGREES 07 MINUTES 31 SECONDS EAST, 124.91 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING; THENCE SOUTH 23 SECONDS EAST, 124.91 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 18 DEGREES 24 MINUTES 10 SECONDS EAST, 321.79 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING; THENCE SOUTHERLY, 342.27 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING; THENCE NORTH 87 DEGREES 38 MINUTES WEST, 471 FEET, THENCE NORTHWESTERLY, 52.82 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 862.00 FEET, THE CHORD OF SAID CURVE BEARS NORTH 41 DEGREES 43 MINUTES 46 SECONDS WEST, 61.19 FEET TO THE SOUTHERLY LINE OF SILVER GLEN ROAD AS MONUMENTED; THENCE NORTH 88 DEGREES 27 MINUTES 16 SECONDS WEST, 107.81 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING; THENCE NORTH 10 DEGREES 00 DEGREES 34 MINUTES WEST, 108.05 FEET ALONG SAID WESTERLY LINE TO THE GRANTOR'S NORTHERLY PROPERTY LINE; THENCE SOUTH 05 DEGREES 46 MINUTES 23 SECONDS EAST, 305.54 FEET ALONG SAID NORTHERLY LINE TO THE POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS

COMMONLY KNOWN AS: 38W115 SILVER GLEN ROAD, ST. CHARLES, ILLINOIS



STATE OF ILLINOIS
COUNTY OF KANE
DALE FLOYD LAND SURVEYING L.L.C.
PROFESSIONAL LAND SURVEYOR LICENSE NO. 184-000700
I HEREBY CERTIFY THAT THE FOREGOING REPRESENTS THE TRUE AND CORRECT REPRESENTATION OF THE PLAT HEREIN SHOWN.
DEGREES ARE SHOWN IN FEET AND DECIMAL PARTS
DATE OF SURVEY: 7-26-19
A.D. 2019
ILLINOIS PROFESSIONAL LAND SURVEYOR
NO. 002-00000



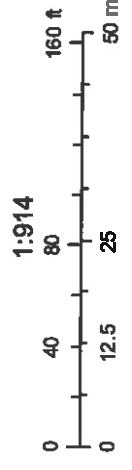
License expiration date: 11-30-2020
FIELD WORK COMPLETED: 7-12-2019
PREPARED FOR: ATTY. KATE MICRACSEN

LEGEND
FOUND BENCH MARK
FOUND STAKE
FENCE
BLK. LINE
EASEMENT
TO THE CURRENT SURVEY
TO THE CURRENT SURVEY MINIMUM STANDARDS
FOR A SURVEY BURNET.
ONCE REPORT ANY DIFFERENCE
JOB NO. 492-19

Map Title



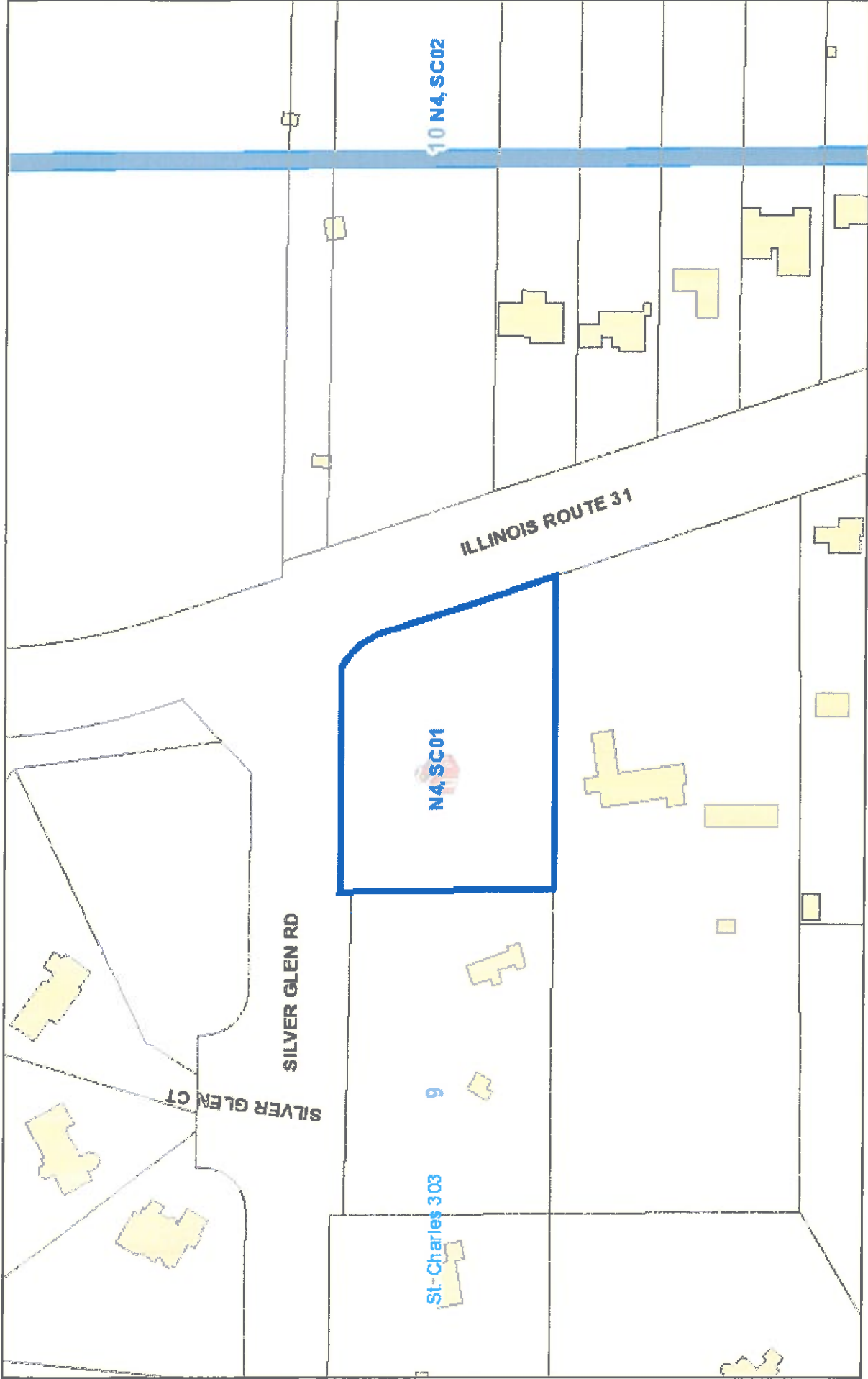
October 28, 2019



These layers do not represent a survey. No Accuracy is assumed for the data delineated herein, either expressed or implied by Kane County or its employees. These layers are compiled from official 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.

GIS-Technologies
Kane County Illinois

Map Title



October 28, 2019

GIS-Technologies

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GIS-Technologies
Kane County Illinois

Applicant: Gildardo Valencia
Contact: Gildardo Valencia
Address: 852 Chasewood Dr
South Elgin, IL 60177

IDNR Project Number: 2002322
Date: 09/03/2019

Project: Valencia Residence
Address: 36W115 Silver Glen Rd., St Charles

Description: Rezoning of Farming to D-3 Estate Residential to build a single family residence. 4 Bedroom 3 bath with possible 1 bedroom 1 bath in-law suite and an attached garage.

Natural Resource Review Results

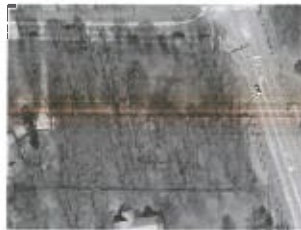
Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

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:
40N, 8E, 9

IL Department of Natural Resources
Contact
Adam Rawe
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Kane County Zoning
Keith T. Berkhout
719 S. Batavia Rd.
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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