

**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

**4594**

Received Date
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**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): 11-20-100-014 11-20-100- <del>014</del> 008
	Street Address (or common location if no address is assigned): 15100 State Rt. 47 Elburn IL. <del>600</del> -60119 15140 State Rt. 47 Elburn IL. 60119

2. Applicant Information:	Name Steve Case	Phone 847-344-8649
	Address 1403 Elm St.	Fax
	St. Charles, IL, 60174	Email spugc1968@gmail.com

3. Owner of record information:	Name Steve Case	Phone 847-344-8649
	Address 1403 Elm St.	Fax
	St. Charles, IL, 60174	Email spugc1968@gmail.com

**Zoning and Use Information:**

2040 Plan Land Use Designation of the property: F

Current zoning of the property: F and special use

Current use of the property: residential and cell tower

Proposed zoning of the property: B-3

Proposed use of the property: Construction Storage and yard

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

new buildings to replace former barn location

**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](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 <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.

Steve Case 3-14-22  
Record Owner Date

Steve Case 3-14-22  
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.

Steve Case  
Name of Development/Applicant

3-14-22  
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 property will see very little change. The existing barns will be demolished. The existing foot print of existing barns is where the new barn will be built. I am proposing to build an 8,000 Sq. Ft. barn

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

Existing zoning is F and SU

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

The property is zoned F and I would like to change zoning to a B3

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

The property borders a large pit to the South + West. No new developments are planned. Most property is for farming or mining

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

The 2040 plan is compatible to B3 zoning.

## Findings of Fact Sheet – Special Use

3-14-22

Date

### Special Use Request

- The Kane County Zoning Board is required to make findings of fact when considering a special use.
- Special Uses shall be considered at a public hearing before the Zoning Board of Appeals. In its report of findings of facts, recommendations shall be made to the County Board following the public hearing. The Zoning Board will not recommend a special use unless the following items are addressed:

6. Explain how the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The proposal to build a new barn will have no affect on the public. ~~There~~ The area will see an improvement in the appearance of a new pole barn as the existing barns are dilapidated + an eye sore. we are making improvements

7. Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity.

This property has a large pit on 2 sides w/farm + a creek across the street. we are improving this property which will have a positive affect on the entire area

8. Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property.

There are no plans for any development around this property.

9. Will adequate utility, access roads, drainage and other necessary facilities be provided? Please explain:

per KDOT recommendation we will be widening driveway to 22'. utilities are on site currently. No new power or new gas service will be needed

10. Will adequate measures be provided for ingress and egress and so designed to minimize the traffic and congestion? Please explain:

Per KDOT we will be widening driveway to 22' in width. My business is seasonal and all equipment will be idle for 5 months from Nov. 23 to April 1.

11. Will the special use conform to the regulations of the district in which it is located? Please explain:

Existing SU was approved previously. No alterations are planned

Steve Case

Rezoning from F-District Farming to PUD – Planned Unit Development to allow for a storage for a construction business and to bring the existing residential use into conformance with the Zoning Ordinance.

**Special Information:** The petitioner is seeking to rezone the property to allow for his construction company to be able storage it's vehicles in a new building to be constructed on the western portion of the property. Since the property appears to have been reduced in 1988 and the petitioner is planning to sell an additional strip of land to the home immediately to the north, the rezoning will also bring the existing residential use into conformance with the Zoning Ordinance.

**Analysis:** The Kane County 2040 Land Use Plan designates this area as Resource Management. The Resource Management designation is a land use category that supports municipal and County compact, mixed use growth opportunities while emphasizing wise management of land and water resources.

**Findings of Fact:**

1. The rezoning will bring the existing residential use back into conformance with the Zoning Ordinance and allow the business to be operated on the property.

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



To Whom It May Concern:

I would like to describe my business and give you a background.

My business was started in 2021 as an asphalt paving and sealcoating company. We are a seasonal business that begins work between April 1-15th, depending on the weather, and we shut down between November 1st- 24th depending on weather. Asphalt plants will only open if the weather is a certain temperature and the conditions are good . This year we did not officially start our season until April 23rd due to the rain and cold. If we can work for 8 months out of the year this is a great year for us. When our season begins it is very difficult for us to work on rainy days and if it rains we do not work. We average working between 150-165 days of the 365 days in the year.

We do no snowplowing and our vehicles will sit idle all winter. I have 6 employees that work in the field and I run the office administration work out of my home in St. Charles. We are not a business that needs an office as all of our estimates are performed at the customers residence or work building.

My men will meet in the morning to gather the equipment and then return at the end of the day and are never going to the shop once we leave for the field in the morning.

We have 2 dump trucks, 2 pickup trucks, 2 trailers, 1 paving box and 1 roller.

In closing we will have very little impact on the surrounding area and our property backs up to the LaFarge pit on Rt. 47..

Sincerely

Steve Case



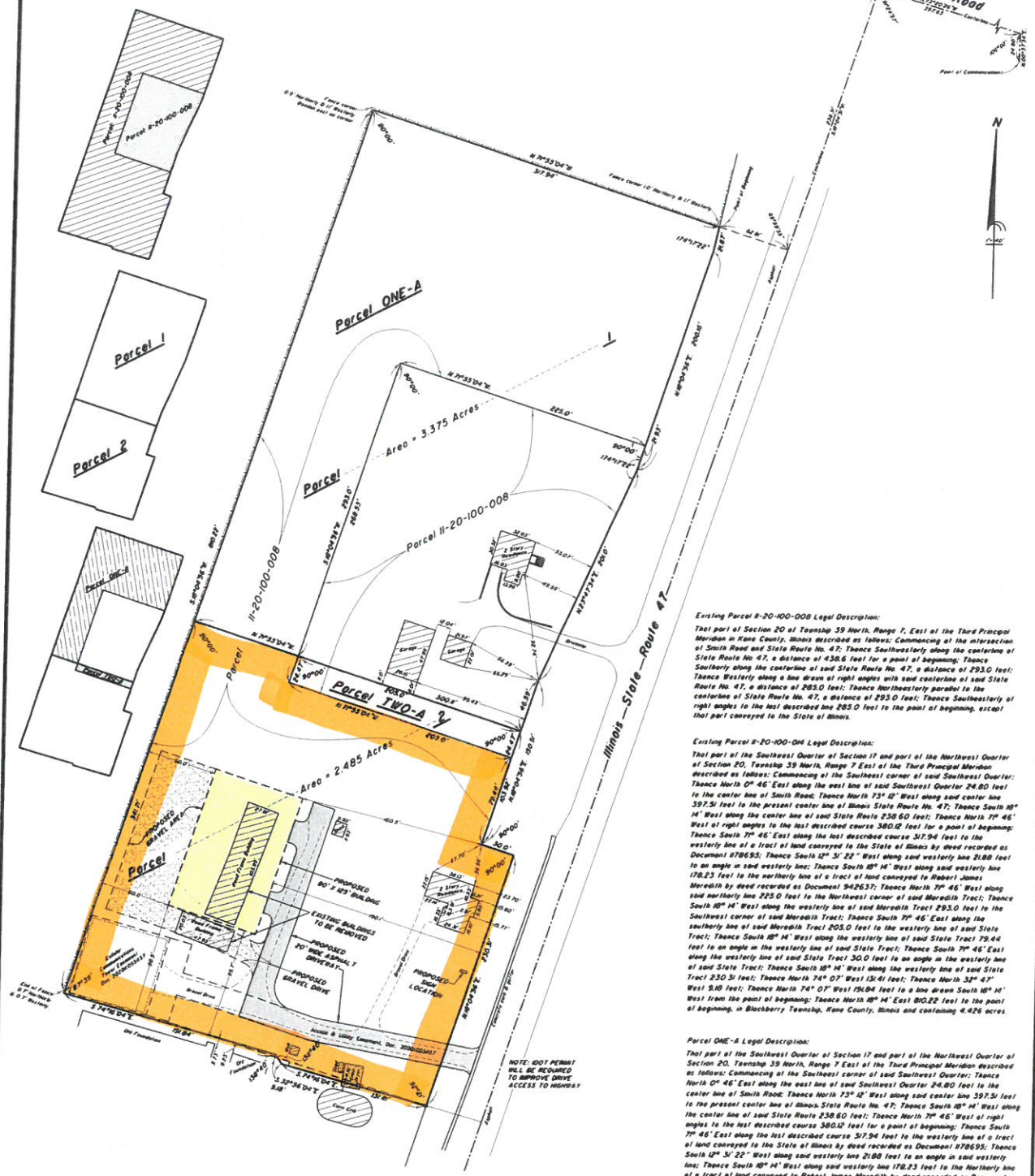
Blackberry C

Existing Barn



Part of Southwest Quarter of Section 17-39-7 and part of Northwest Quarter of Section 20-39-7.  
Blackberry Township Kane County Illinois

Parcel Exhibit



**Existing Parcel 8-20-100-008 Legal Description:**  
That part of Section 20 of Township 39 North, Range 7, East of the Third Principal Meridian in Kane County, Illinois described as follows: Commencing at the intersection of Smith Road and State Route No. 47; Thence Southeastly along the centerline of State Route No. 47, a distance of 438.6 feet for a point of beginning; Thence Southwesterly along the centerline of said State Route No. 47, a distance of 293.0 feet; Thence Westerly along a line drawn at right angles with said centerline of said State Route No. 47, a distance of 285.0 feet; Thence Southwesterly at right angles to the last described line 293.0 feet to the point of beginning, except that part conveyed to the State of Illinois.

**Existing Parcel 8-20-100-004 Legal Description:**  
That part of the Southwest Quarter of Section 17 and part of the Northwest Quarter of Section 20, Township 39 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Southeast corner of said Southwest Quarter; Thence North 0° 46' East along the east line of said Southwest Quarter 24.80 feet to the center line of Smith Road; Thence North 73° 42' West along said center line 397.51 feet to the present center line of Illinois State Route No. 47; Thence South 80° 14' West along the center line of said State Route 236.60 feet; Thence North 77° 46' West of right angles to the last described course 300.02 feet for a point of beginning; Thence South 77° 46' East along the last described course 317.94 feet to the westerly line of a tract of land conveyed to the State of Illinois by deed recorded as Document #78655; Thence South 12° 31' 22" West along said westerly line 218.00 feet to an angle in said westerly line; Thence South 10° 14' West along said westerly line 178.23 feet to the northerly line of a tract of land conveyed to Robert James Meredith by deed recorded as Document #42637; Thence North 77° 46' West along said northerly line 225.0 feet to the Northwest corner of said Meredith Tract; Thence South 10° 14' West along the westerly line of said Meredith Tract 293.0 feet to the Southwest corner of said Meredith Tract; Thence South 77° 46' East along the southerly line of said Meredith Tract 205.0 feet to the westerly line of said State Tract; Thence South 10° 14' West along the westerly line of said State Tract 73.44 feet to an angle in the westerly line of said State Tract; Thence South 77° 46' East along the westerly line of said State Tract 30.0 feet to an angle in the westerly line of said State Tract; Thence South 10° 14' West along the westerly line of said State Tract 230.31 feet; Thence North 74° 07' West 131.41 feet; Thence North 32° 47' West 51.10 feet; Thence North 74° 07' West 190.04 feet to a line drawn South 10° 14' West from the point of beginning; Thence North 10° 14' East 800.22 feet to the point of beginning, in Blackberry Township, Kane County, Illinois and containing 4.426 acres.

**Parcel ONE-A Legal Description:**  
That part of the Southwest Quarter of Section 17 and part of the Northwest Quarter of Section 20, Township 39 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Southeast corner of said Southwest Quarter; Thence North 0° 46' East along the east line of said Southwest Quarter 24.80 feet to the center line of Smith Road; Thence North 73° 42' West along said center line 397.51 feet to the present center line of Illinois State Route No. 47; Thence South 80° 14' West along the center line of said State Route 236.60 feet; Thence North 77° 46' West of right angles to the last described course 300.02 feet for a point of beginning; Thence South 77° 46' East along the last described course 317.94 feet to the westerly line of a tract of land conveyed to the State of Illinois by deed recorded as Document #78655; Thence South 12° 31' 22" West along said westerly line 218.00 feet to an angle in said westerly line; Thence South 10° 14' West along said westerly line 178.23 feet to the northerly line of a tract of land conveyed to Robert James Meredith by deed recorded as Document #42637; Thence North 77° 46' West along said northerly line 225.0 feet to the Northwest corner of said Meredith Tract; Thence South 10° 14' West along the westerly line of said Meredith Tract 263.73 feet to a line drawn South 10° 14' West from the point of beginning; Thence North 10° 14' East 468.51 feet to the point of beginning, in Blackberry Township, Kane County, Illinois.

**Parcel TWO-A Legal Description:**  
That part of the Northwest Quarter of Section 20, Township 39 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Southeast corner of said Southwest Quarter 24.80 feet to the center line of said Southwest Quarter 24.80 feet to the center line of Smith Road; Thence North 73° 42' West along said center line 397.51 feet to the present center line of Illinois State Route No. 47; Thence South 80° 14' West along the center line of said State Route 236.60 feet; Thence North 77° 46' West of right angles to the last described course 300.02 feet to the westerly line of a tract of land conveyed to the State of Illinois by deed recorded as Document #78655; Thence South 12° 31' 22" West along said westerly line 218.00 feet to an angle in said westerly line; Thence South 10° 14' West along said westerly line 178.23 feet to the northerly line of a tract of land conveyed to Robert James Meredith by deed recorded as Document #42637; Thence North 77° 46' West along said northerly line 225.0 feet to the Northwest corner of said Meredith Tract; Thence South 10° 14' West along the westerly line of said Meredith Tract 263.73 feet to a point of beginning; Thence containing South 10° 14' West along said westerly line 23.27 feet to the Southwest corner of said Meredith Tract; Thence South 77° 46' East along the southerly line of said Meredith Tract 205.0 feet to the westerly line of said State Tract; Thence North 10° 14' East along the westerly line of said State Tract 23.27 feet; Thence North 77° 46' East 205.00 feet to the point of beginning, in Blackberry Township, Kane County, Illinois.

**Parcel 2 - Rezoning Parcel Legal Description:**  
That part of the Southwest Quarter of Section 17 and part of the Northwest Quarter of Section 20, Township 39 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Southeast corner of said Southwest Quarter; Thence North 0° 46' East along the east line of said Southwest Quarter 24.80 feet to the center line of Smith Road; Thence North 73° 42' West along said center line 397.51 feet to the present center line of Illinois State Route No. 47; Thence South 80° 14' West along the center line of said State Route 236.60 feet; Thence North 77° 46' West of right angles to the last described course 300.02 feet to the westerly line of a tract of land conveyed to the State of Illinois by deed recorded as Document #78655; Thence South 12° 31' 22" West along said westerly line 218.00 feet to an angle in said westerly line; Thence South 10° 14' West along said westerly line 178.23 feet to the northerly line of a tract of land conveyed to Robert James Meredith by deed recorded as Document #42637; Thence North 77° 46' West along said northerly line 225.0 feet to the Northwest corner of said Meredith Tract; Thence South 10° 14' West along the westerly line of said Meredith Tract 263.73 feet to a point of beginning; Thence South 77° 46' East 205.0 feet to the westerly line of said State Tract 230.31 feet; Thence North 74° 07' West 131.41 feet; Thence North 32° 47' West 51.10 feet; Thence North 74° 07' West 190.04 feet to a line drawn South 10° 14' West from the point of beginning; Thence North 10° 14' East 341.71 feet; Thence South 77° 46' East 92.42 feet to the point of beginning, in Blackberry Township, Kane County, Illinois.

Notes: Boundary information, building feet and improvements provided by  
**WILLIAM M WINGSTEDT**  
Illinois Professional Land Surveyor  
328 White Plains Ct.  
Oswego, Illinois 60543

Prepared for: **STEVE CASE**  
1540 E. Route 47  
Farm, IL 60509  
(847) 344-8643

Prepared by:  
**DONALD and THORNHILL**  
Illinois Professional Design Firm No. 6041  
15 E. White Street  
Bellevue, Illinois 60010  
(630) 879-0200

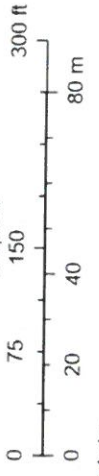


# Map Title



May 9, 2022

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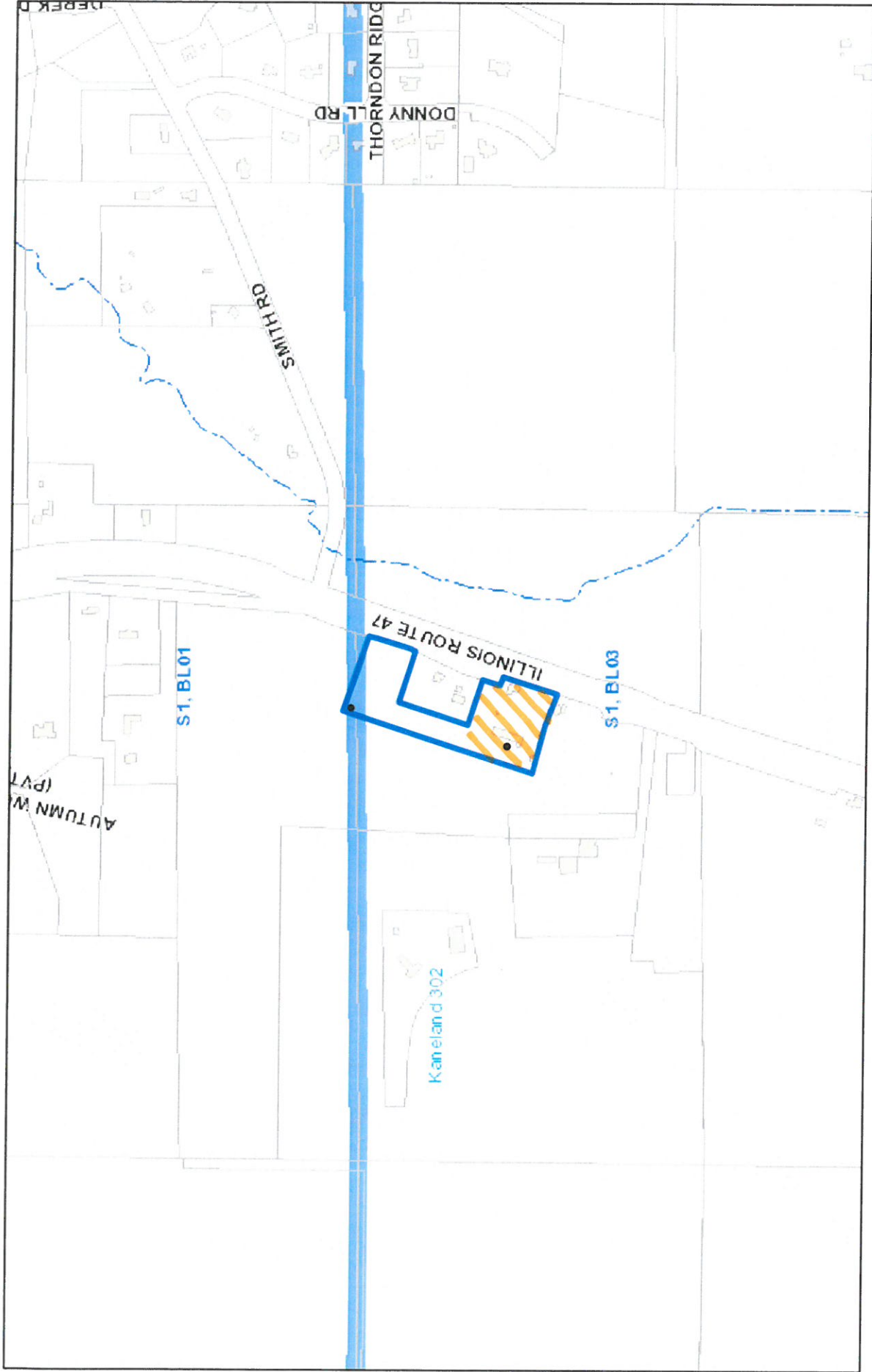


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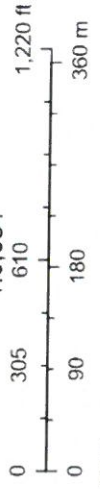
GIS-Technologies  
Kane County Illinois

# Map Title



May 9, 2022

1:6,651



GIS-Technologies

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GIS-Technologies  
Kane County Illinois



# Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271  
<http://dnr.state.il.us>

JB Pritzker, Governor

Colleen Callahan, Director

March 11, 2022

Steve Case  
Steve Case  
1403 South Elm Street  
St. Charles, IL 60174

**RE: Steve Case Zoning Change**  
**Project Number(s): 2210348**  
**County: Kane**

Dear Applicant:

This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 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.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, 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, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.

Kyle Burkwald  
Division of Ecosystems and Environment  
217-785-5500



March 11, 2022

Keith Berkhout  
Kane County Development Department  
719 S. Batavia Avenue  
Geneva, IL 60134

Re: Land Use Opinion Application # 22-023

Petitioner:  
Steve Case  
1403 Elm Street  
St Charles, IL 60174

Owner:  
Steve Case  
1403 Elm Street  
St Charles, IL 60174

Parcel # 11-20-100-014, 11-20-100-008      Location Address: 1S100-140 IL Rt 47, Elburn  
Township: Sugar Grove, Section 20, Township 39N, Range 7E in Kane County  
Zoning change: F to B3

The KDSWCD has carefully reviewed your application for a Land Use Opinion and Natural Resources Inventory. According to the Land Use Opinion (LUO) policy of the KDSWCD, a full LUO report is not required. Everyone is responsible for protecting the environment and local natural resources to sustain our natural resources on which we depend for a quality life. Any disturbance of soil, vegetation, or other natural resources, no matter how small, can have a negative impact on the environment if development is done carelessly. This letter fulfills the requirement to notify the Kane-DuPage Soil and Water Conservation District (KDSWCD) of land-use changes per the Illinois Compiled State Statutes, Chapter 70, Par. 405/1 et seq. Illinois Revised Statutes, Ch. 5, Part 106 et seq.

The application for the proposed land-use changes and/or the accompanying plan and description of the proposed land-use change meets one of the following criteria; the area of planned disturbance is less than 5000 square feet, the whole parcel is less than ¼ acre, and planned disturbance is less than 5000 square feet, or the entirety of the parcel has been previously altered and developed, and no undisturbed natural resources remain intact. Parcels that meet any of the preceding criteria have minimal natural resources that would be impacted by the proposed land-use change. However, if there are deviations from the submitted application or plan, a full LUO report may be required, and an application may need to be resubmitted.



In any development or land-use change, use best management practices to keep the soil covered as much as possible to prevent soil erosion, use erosion control measures to prevent soil from leaving the site to limit negative impacts to water quality, use permeable pavers or other practices to keep stormwater on-site, use native vegetation as much as possible, and protect existing native trees and shrubs from damage.

No wetlands, hydric soils, or floodplains have been identified in or adjacent to your parcel. Not all wetlands in the county have been identified, so use caution in working in wet areas or areas of hydric soils. Earthwork that may impact wetlands or floodplains requires permits before construction activities commence, and a certified wetland determination may be required. Please contact the U.S. Army Corps of Engineers and the Kane County Division of Environmental Water Resources for permit information or requirements before any land disturbance.

If there are questions concerning which best management practices to use during construction and land-use change activities, or if you have any questions concerning this letter, please contact the KDSWCD office at the address or phone below.

Sincerely,

Jennifer Shroder  
Resource Assistant

630/584-7960 x3