

4623

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

Received Date

**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):  15-34-426-009
	Street Address (or common location if no address is assigned): 1307 S. Union St Montgomery IL 60538

2. Applicant Information:	Name Elizabeth Garcia	Phone 331 250-3281
	Address 175 S. Madison St	Fax
	Oswego, IL 60543	Email amazingvehicle sales@gmail.com

3. Owner of record information:	Name James Siebert	Phone 630 309-3003
	Address 5551 Fields Dr.	Fax
	Yorkville, IL 60560	Email

**Zoning and Use Information:**

2040 Plan Land Use Designation of the property: Urban Neighborhoods/Mixed Use  
Intill

Current zoning of the property: B1 + B3

Current use of the property: Mechanic Shop

Proposed zoning of the property: Re-zoning to B3 District Business with  
a special use for an open air vehicle sales lot

Proposed use of the property: Vehicle Sales dealership

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

Looking to pave parking pavement between  
blacktop gravel

**Attachment Checklist**

- Plat of Survey prepared by an Illinois Registered Land Surveyor.
- Legal description
- Completed Land Use Opinion (Available in pdf form at [www.kanedupageswd.org/luo.pdf](http://www.kanedupageswd.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. Kd
- 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

*[Signature]*

Date

9/8/2023

Applicant or Authorized Agent

*[Signature]*

Date

9/8/2023

## 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.

Elizabeth Garcia  
Name of Development/Applicant

9/8/23  
Date

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

Plan is to rezone property from zone B1/B3 district business to zone B3 special use vehicle sale lot. The existing use of property is Mechanic Shop want to rezone for the purpose of only vehicle sales.

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

A mix of B1/B3 F district farming and property that are actually in the village of Montgomery

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

Subject property is consistent with the uses permitted under existing zoning classifications. Wish to rezone with the purpose of being able to have a small business selling vehicles with no intention of disrupting the surrounding business or residential.

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

The business trying to open will be similar to other type of vehicle business around the area with the intention of providing good business vehicles and service with out hamming the surrounding business.

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

Area of Urban neighborhood - mix use. in fill allows a verified of different uses like business like mine and other residential.

## Findings of Fact Sheet – Special Use

Special Use Request

9/8/23  
Date

- 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.

We are looking to sale vehicles and park them within the property space the build provides, this will not affect or in danger the surround business or residents in anyway.

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

Our business use will be a positive area use, making sure property is keep clean and neat in the exterior and interior part of the build and its surround looking to redo blacktop park spaces to improve the exterior look and for better organization of parking spaces

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

Our business use is similar to others establish in the area. Will provide Service for people and other business in the area, will give employment. Will offer similar service to other business in the area for better improvement, that wont bother resident in the area or affect them in anyway. Will provide services closer to home.

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

No, this will be a vehicle sales and we will be parking vehicles within the property parking only. Making sure there no over flow of vehicle on street or in the way of resident or other business

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

Vehicles will be park in the back of the building there will be customer parking as well. Will be supe to not allow over flow on the street. Inventory of vehicles will be control to whats allowed in the property. Will be responsible owner to make sure vehicles are park properly for better organization.

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

Will be responsible and follow regulation making sure we have all the proper permits, building insurance as well as safety precautions. Will make sure to review all property zone regulation and that being followed. We will make sure to not cause any trouble to the surrounding business and residents

# Amazing Vehicle Sales Inc.

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1307 S. Union St.  
Montgomery, IL 60538  
(630) 465-6580

September 8, 2023

To whom it may concern,

My name is Elizabeth Garcia and my husband is Moises Diaz. We have been together 3 years, married for 2 years and have been working by his side since as well as learning the business from his experience. Moises has been in the vehicle sales business for about 10 years. He was initially partnered with someone who has 25 plus years in the business. He took the initiative to continue to make business on his own with the intent to grow. We are currently a small family business and drive each day to eventually one day expand our business to provide more employment, more services and help the community around the area. We are currently doing mechanical work at this location (1307 S. Union St. Montgomery, IL 60538) which will continue to do but at a different location. We are looking to sell vehicles at the above location which will require a special use permit from the Kane County District. If approved we are committed to have organization, not allow overflow of vehicles in the street, control the inventory of vehicles only to what is permitted per regulations within the property in question. The Kane County district will be notifying you once everything has been confirmed of any dates, time and location in which you may attend meetings in regards to the special use that we are requesting for the building. We thank you for your support in advance.

Sincerely, Elizabeth Garcia & Moises Diaz

JS2 Trust (Amazing Vehicle Sales)

Rezoning from B-1 District Business District and B-3 District Business to B-3 District Business with a Special Use for an open air lot for car sales.

**Special Information:** The petitioner is seeking a rezoning and Special Use to allow for indoor and outdoor car sales on the property. The building has been used as an automobile mechanic shop by the petitioner and they will relocate this business to a different location. The petitioner has experience in vehicle sales and wants to grow his business at this location.

**Analysis:** The Kane County 2040 Land Use Plan designates this area as Urban Neighborhoods / Mixed Use Infill. The purpose of this area is to protect and improve existing residential neighborhoods and enhance them to be livable, sustainable and healthy communities. This rezoning will provide a business zoned infill parcel with long established business zoned properties in the area.

**Staff recommended findings of fact:**

1. If approved, the rezoning and Special Use would allow cars for sale to be parked and displayed on the property

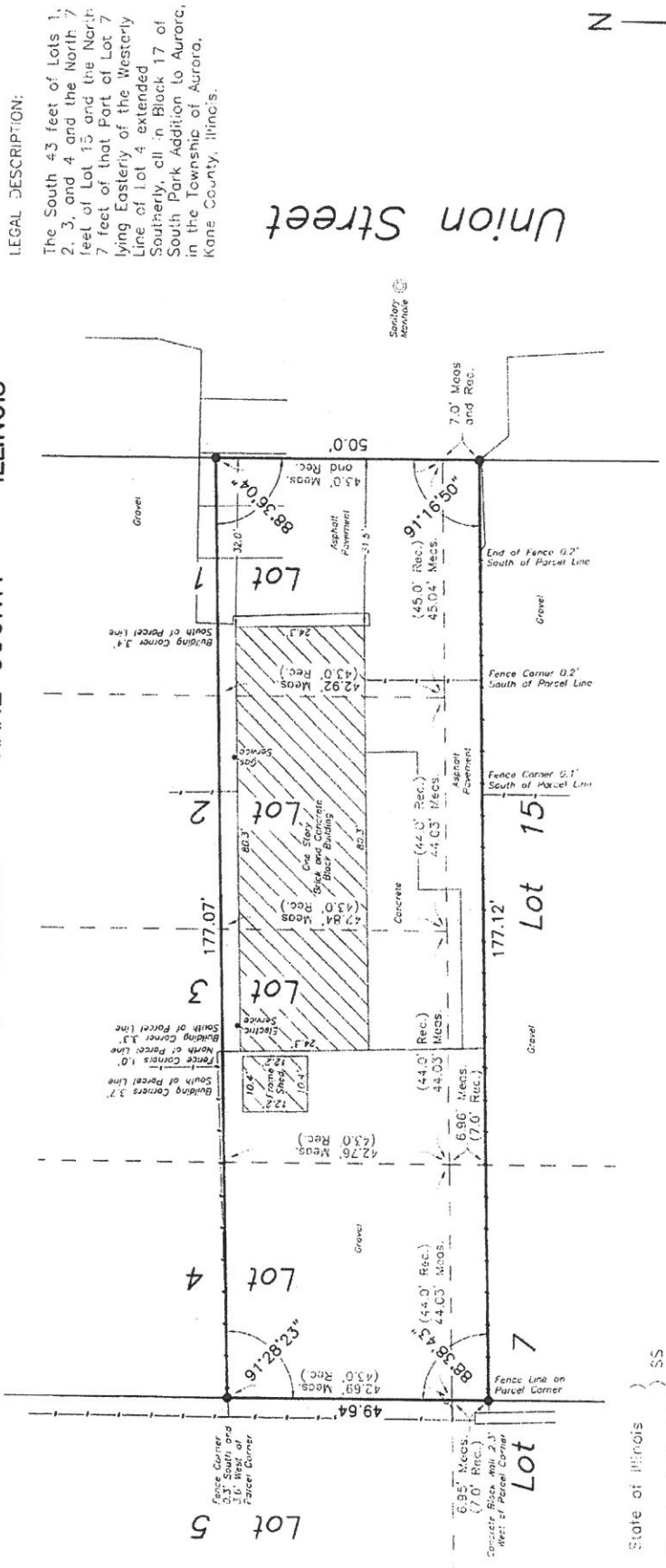
Attachments:      Location Map  
                         Township Map  
                         Petitioner's finding of fact sheet

**PLAT OF SURVEY OF  
SOUTH PARK ADDITION TO AURORA  
BLOCK 17  
AURORA TOWNSHIP KANE COUNTY ILLINOIS**

11078 South Bridge Street  
Yorkville, Illinois 60560  
Telephone (630)553-1580

Philip D. Young and Associates, Inc.  
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

JOB NO. 23071  
JOB NAME SIEBERT  
DWG FILE 23071



**LEGAL DESCRIPTION:**  
The South 43 feet of Lots 1, 2, 3, and 4 and the North 7 feet of Lot 15 and the North 7 feet of that Part of Lot 7 lying Easterly of the Westerly Line of Lot 4 extended Southerly, all in Block 17 of South Park Addition to Aurora, in the Township of Aurora, Kane County, Illinois.

**SCALE**  
1"=20'

- Indicates Iron Stake Found
- Indicates Iron Stake Set
- Indicates Line of Fence

NOTE: This property is commonly known as 1307 South Union Street.



I, Andrew R. Young, an Illinois Professional Land Surveyor and an officer of Philip D. Young and Associates, Inc., certify that I have surveyed and located the visible improvements upon the above described tract as shown by the plat hereon drawn which is a representation of said survey. Field work was completed May 30, 2023. This Professional service conforms to the current Illinois minimum standard for a boundary survey.

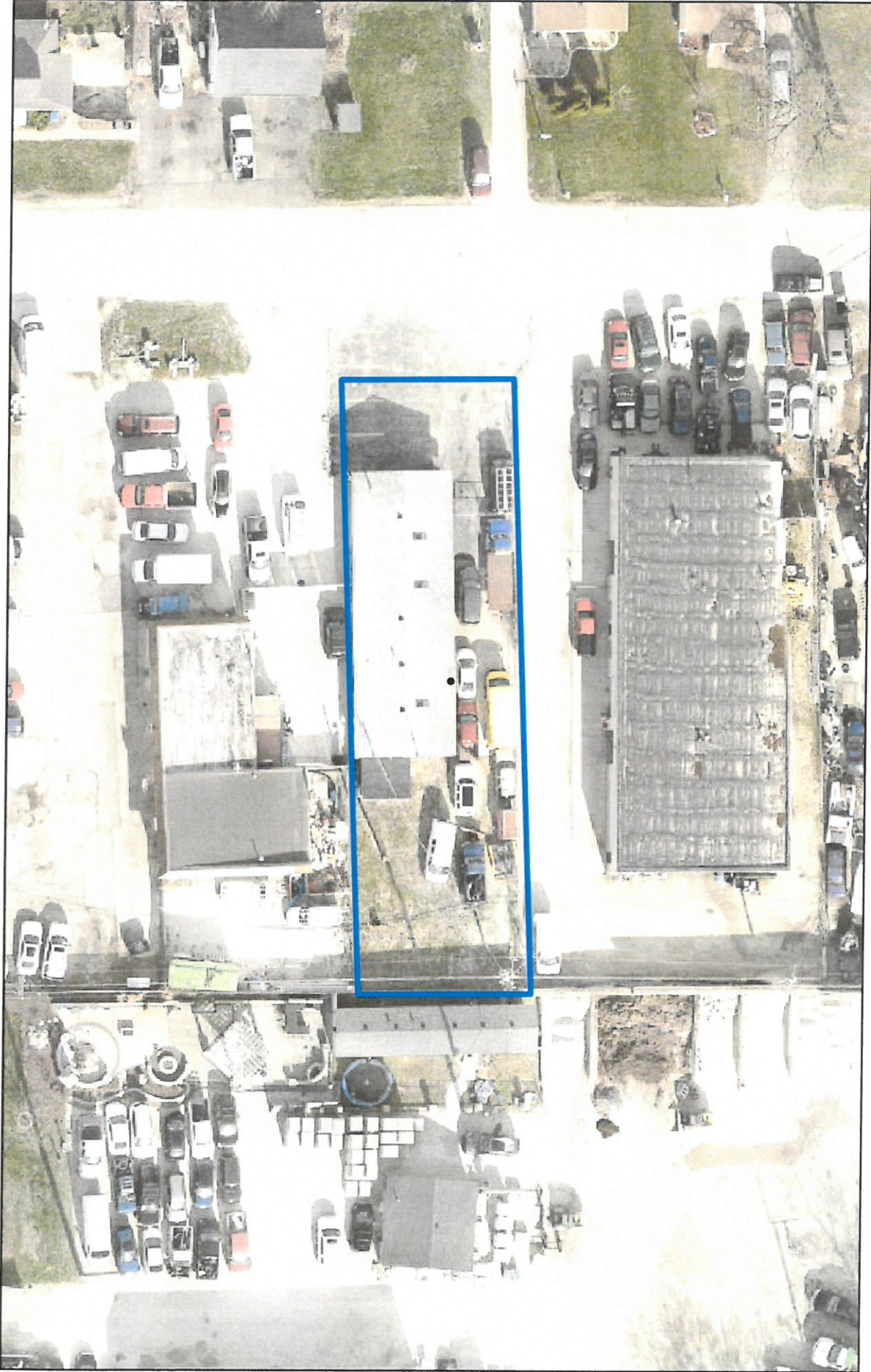
Dated July 5, 2023 at Yorkville, Illinois

*Andrew R. Young*  
Andrew R. Young  
Illinois Professional Land Surveyor No. 035-00400 (Expires 11/30/24)

State of Illinois }  
County of Kendall } SS

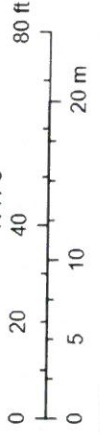


# Map Title



November 8, 2023

1:476

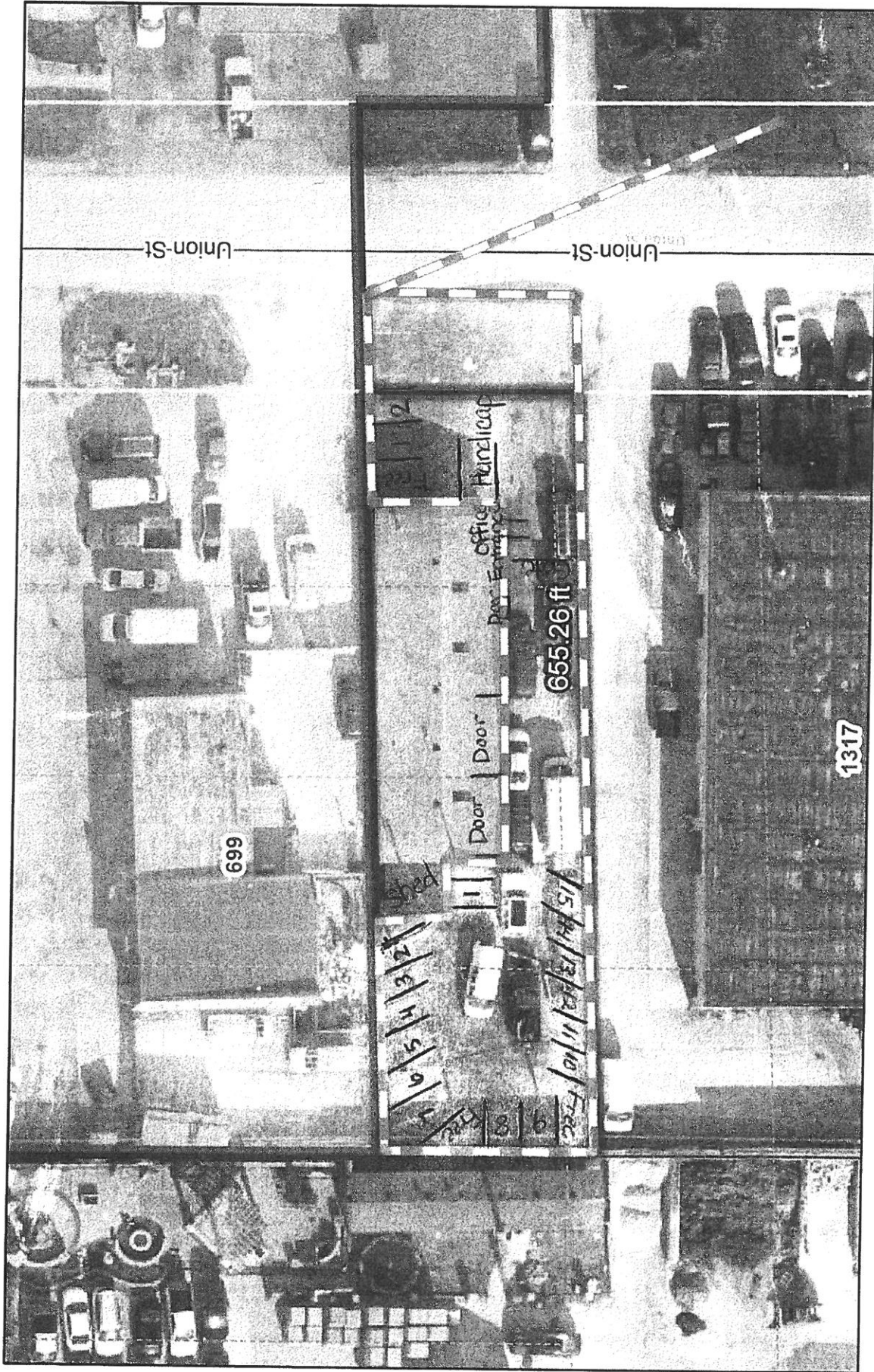


GIS-Technologies

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.

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Kane County Illinois

# KaneGIS4



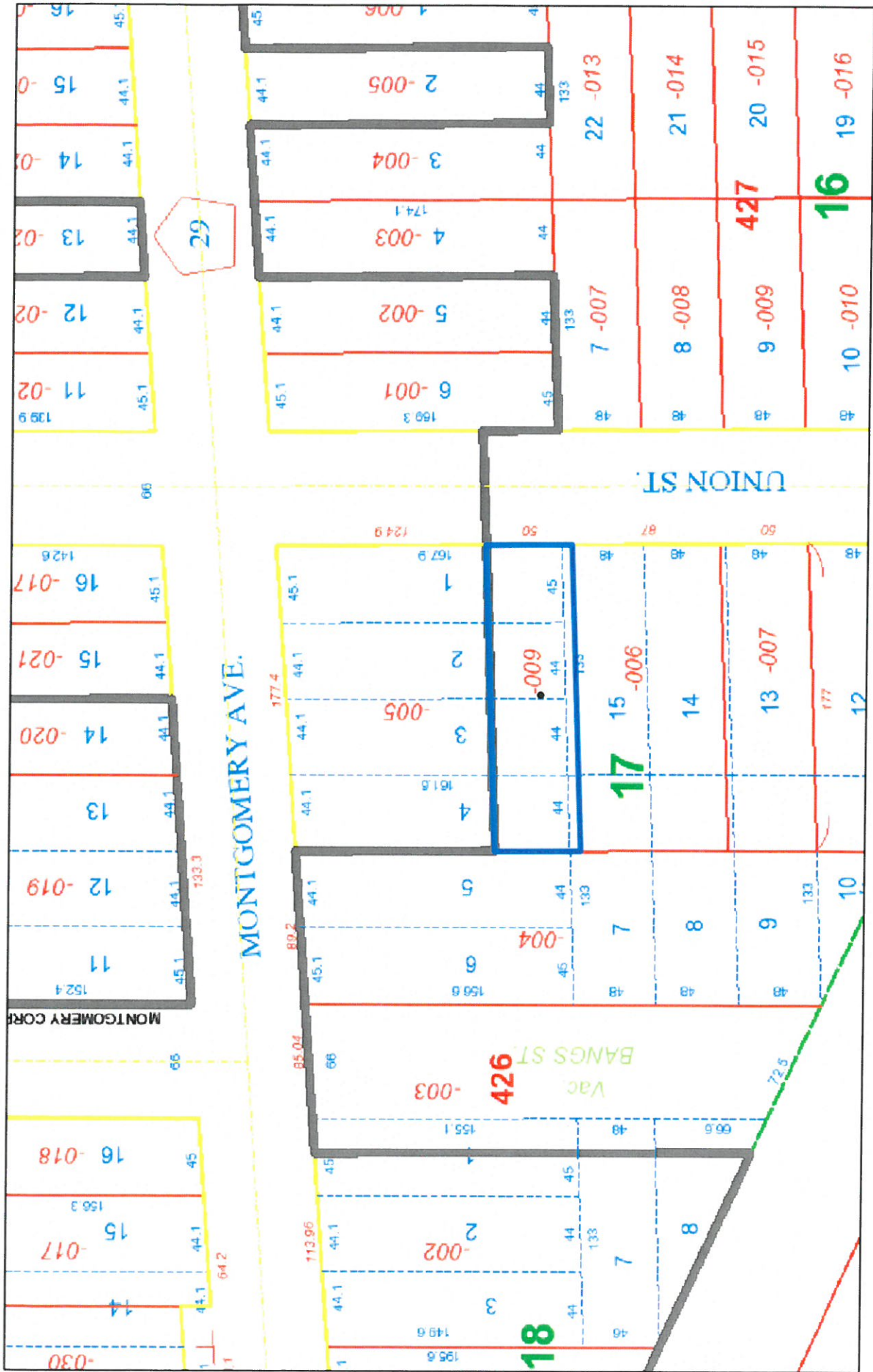
12/5/2022

1:508  
0 0.01 0.01 mi

0 0.01 0.02 km  
Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodataslyseisen, Rijkswaterstaat, GSA, Geoland, FEMA,

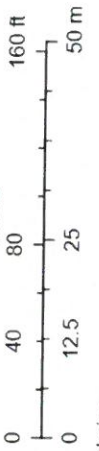
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Map Title



November 8, 2023

1:953



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GIS-Technologies  
Kane County, Illinois



September 22, 2023

**Village of Montgomery**

Zach Ewoldt  
200 N River Street  
Montgomery, IL 60538

Re: Land Use Opinion

Application #23-071

Petitioner: Elizabeth Garcia  
175 S. Madison Street  
Oswego, IL 60543

Location Address: 1307 S. Union Street, Montgomery, IL 60538

The application for a Land Use Opinion was sent to the Kane-DuPage Soil & Water Conservation District (KDSWCD) in compliance with Section 22.02a of the Illinois Soil and Water Conservation District Act.

According to the information received, a Land Use Opinion is NOT REQUIRED at this time for 1307 S. Union Street, Montgomery, IL 60538.

If you have any questions concerning this letter, please contact the KDSWCD office at the address or phone below.

Sincerely,

**Tommy  
Purdom**

Digitally signed by  
Tommy Purdom  
Date: 2023.09.22  
15:04:23 -05'00'

Tommy Purdom  
Resource Analyst



# Illinois Department of Natural Resources

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

JB Pritzker, Governor

Natalie Phelps Finnie, Director

August 24, 2023

ELIZABETH GARCIA  
ELIZABETH GARCIA  
1307 S UNION ST  
MONTGOMERY, IL 60538

**RE: 1307 S UNION ST MONTGOMERY IL 60538**  
**Project Number(s): 2403711**  
**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.

Bradley Hayes  
Division of Ecosystems and Environment  
217-785-5500

**Applicant:** ELIZABETH GARCIA  
**Contact:** ELIZABETH GARCIA  
**Address:** 1307 S UNION ST  
MONTGOMERY, IL 60538

**IDNR Project Number:** 2403711  
**Date:** 08/24/2023

**Project:** 1307 S UNION ST MONTGOMERY IL 60538  
**Address:** 1307 S UNION ST, MONTGOMERY

**Description:** REZONING FROM ZONE 1 TO ZONE 3

### Natural Resource Review Results

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

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Blanding's Turtle (*Emydoidea blandingii*)

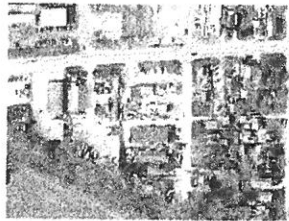
**An IDNR staff member will evaluate this information and contact you to request additional information or to terminate consultation if adverse effects are unlikely.**

#### Location

The applicant is responsible for the accuracy of the location submitted for the project.

**County:** Kane

**Township, Range, Section:**  
38N, 8E, 34



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

**Government Jurisdiction**  
IL Environmental Protection Agency  
BRAD HAYES  
1 NATURAL RESOURCE WAY  
SPRINGFIELD, Illinois 62700

#### 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.

#### Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.
2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.
3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

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EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

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