

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

4635

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): 04-28-400-001
	Street Address (or common location if no address is assigned): 48W137 Middleton Rd., Hampshire, Illinois 60140

2. Applicant Information:	Name Dana Dee Engel	Phone 608-963-1103
	Address S3892 Fish Pond Rd.	Fax
	Reedsburg, WI 53959	Email hfengel@hotmail.com

3. Owner of record information:	Name Howard F. Engel and Dana D. Engel as Trustees of the Howard F. Engel and Dana D. Engel Living Trust dated April 12, 2013	Phone 608-963-1103
	Address S3892 Fish Pond Rd.	Fax
	Reedsburg, WI 53959	Email hfengel@hotmail.com

Zoning and Use Information:

2040 Plan Land Use Designation of the property: Agriculture

Current zoning of the property: F - Farming

Current use of the property: Single Family Residence and Farming

Proposed zoning of the property: F1 - Rural Residential

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)

No improvements are planned. We simply propose to sell the residence to a third party while we continue to farm the surrounding acreage

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.

James D. Engel 4-10-2024
Record Owner Date

[Signature] 4-10-2024
Applicant or Authorized Agent Date

Howard & Dana Engel Trust
Rezoning from F-District Farming to F-1 District Rural Residential

Special Information: The owner has an existing home on the south side of Middleton Road. They are requesting a rezoning so this home can be split off on its own parcel and sold separately from the remaining property.

Analysis: The Kane County 2040 Land Use Plan designates this area as Agricultural. The Plan states that the Agricultural use category also provides for agribusinesses, farm support services, and other related uses that are dependent upon, or closely allied to, modern agricultural practices. Kane County recognizes that prime farmland can be best utilized as agricultural land when supported by a full range of agribusiness and farm services in the immediate area.

Staff recommended findings of fact:

1. If approved, the rezoning will not intensify the existing residential use.

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

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.*

Howard and Dana Engel
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 parcel nearly 160 acres in size. Petitioner proposes to subdivide the existing parcel into a parcel that is 5.36 acres and contains the residence and the balance to contain just farmland.

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

The property is surrounded on all sides by parcels zoned F - Farmland. Some of these parcels contain single family residences.

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

Farm residences are allowed under the existing classification, but on larger lots. Petitioner seeks to separate the lot with the home from the farmland and the resulting single family residence lot will be 5.36 acres.

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

The trend in the area is farmland and rural farm residences.

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 the Kane County 2040 Land Use Plan. This portion of the farmland has been used as a residence for many, many years and will continue to be used as such for the foreseeable future.

LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER (AS MONUMENTED); THENCE N 88°51'00" E ALONG THE NORTH LINE OF SAID QUARTER, 1918.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 88°51'00" E ALONG SAID NORTH LINE, 240.36 FEET; THENCE S 00°34'19" E, 808.59 FEET; THENCE S 88°51'00" W, 253.90 FEET; THENCE N 48°59'18" W, 253.13 FEET; THENCE N 00°34'19" W, 156.57 FEET; THENCE N 88°51'00" E, 248.72 FEET; THENCE N 06°00'25" W 483.81 FEET TO THE POINT OF BEGINNING, ALL IN BURLINGTON TOWNSHIP, KANE COUNTY, ILLINOIS.

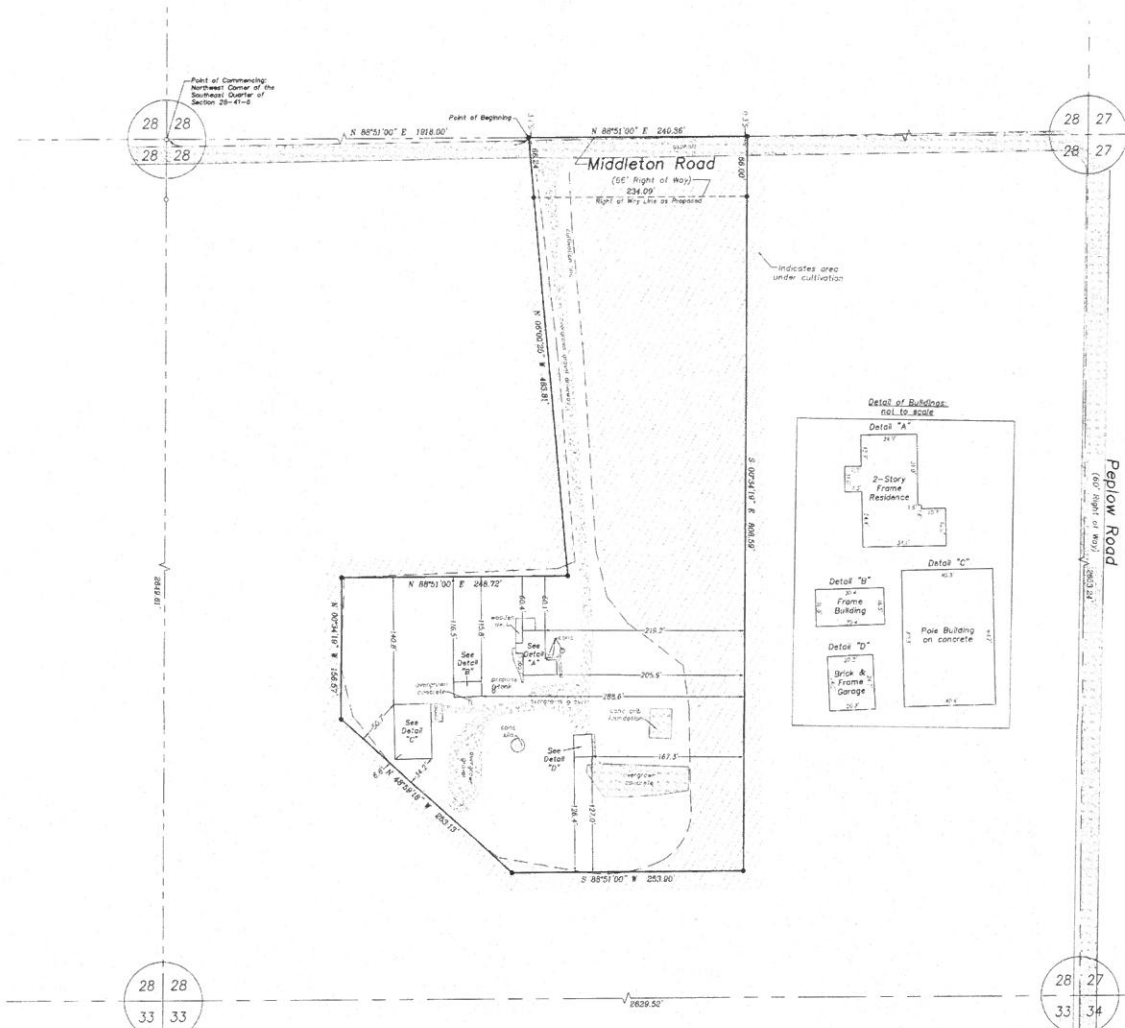
PLAT OF SURVEY

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER (AS MENTIONED); THENCE N. 88°51'00" E ALONG THE NORTH LINE OF SAID QUARTER, 1918.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N. 80°51'00" E ALONG SAID NORTH LINE, 240.30 FEET; THENCE S. 00°34'19" E, 806.50 FEET; THENCE S. 88°51'00" W, 203.00 FEET; THENCE N. 48°58'18" W, 253.13 FEET; THENCE N. 00°34'19" W, 156.57 FEET; THENCE N. 88°51'00" E, 748.72 FEET; THENCE N. 00°00'25" W, 483.61 FEET TO THE POINT OF BEGINNING, ALL IN BURLINGTON TOWNSHIP, KANE COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 48W137 MIDDLETON ROAD, HAMPSHIRE, ILLINOIS.

Surveyor's Note:
 BEARINGS SHOWN HEREON ARE ASSUMED
 5.36 Acres (233,446.4 Square Feet) more or less (Including Proposed Right of Way to Section Line)
 0.38 Acres (15,856.7 Square Feet) more or less (Proposed Right of Way to Section Line)
 5.00 Acres (217,791.7 Square Feet) more or less (Excluding Proposed Right of Way)



STATE OF ILLINOIS)
 COUNTY OF KENDALL) SS

WE, CORNERSTONE SURVEYING P.C., AN ILLINOIS PROFESSIONAL DESIGN FIRM LAND SURVEYOR CORPORATION NO. 184 08822, DO HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, EASEMENTS, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY REVEAL.

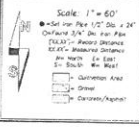
DATED AT YORKVILLE, ILLINOIS ON APRIL 10, 2024

Eric C. Pokorny



Michel C. Enslata, P.L.S. 2768, Exp. 11/30/2024
 Eric C. Pokorny, P.L.S. 3818, Exp. 11/30/2024
TODD SURVEYING
 Professional Land Surveying Services
 Cornerstone Surveying PC
 755 John Street, Suite D
 Yorkville, IL 60550
 Phone: 630-892-1309

Drawn:	Howard & Diana Engel
Check:	Eric C. Pokorny
Field Work Completed:	08/06/2023
Final Plotting/Printing:	
Project Number:	2023-0681

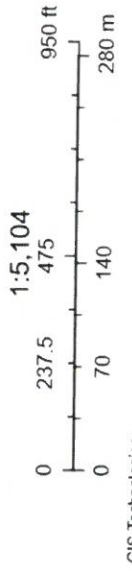


Survey is only valid if original used to show in real.

Map Title



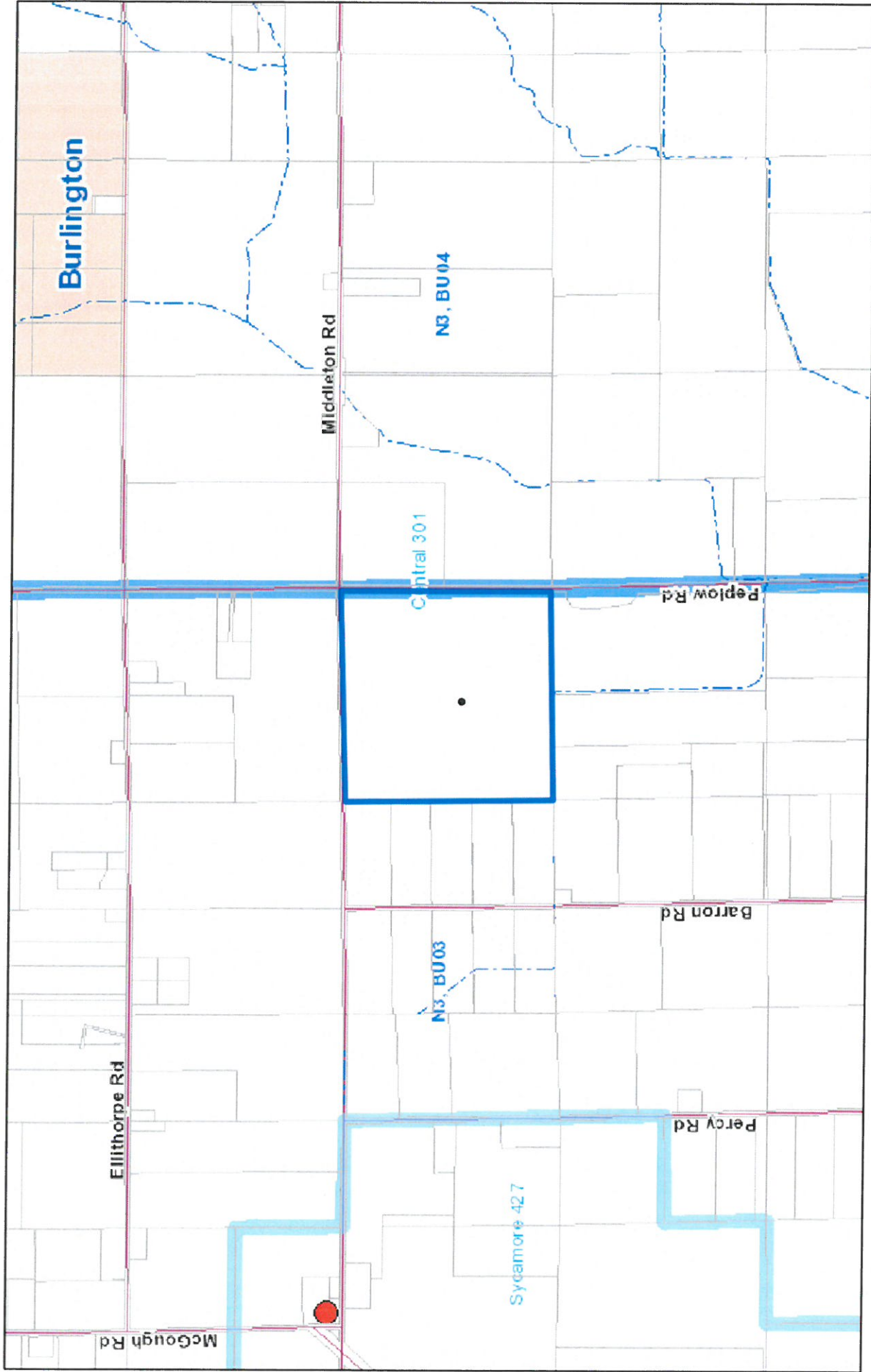
May 6, 2024



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



May 6, 2024

1:20,416
0 500 1,000 2,000 ft

0 280 560 1,120 m

GIS-Technologies

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GIS-Technologies
Kane County Illinois



April 8, 2024

Kane County Development Department

Keith Berkhout
719 S. Batavia Ave.
Geneva, IL 60134

Re: Natural Resources Inventory

Application: #24-034

Petitioner: Dana Dee Engel
Scott D. Becker, Attorney
213 W. Main St.
Genoa, IL 60135

Location Address: parcel #04-28-400-001, located at 48W137 Middleton Rd. Hampshire, IL 60140

Location: Burlington Township 41N Range 6E, Section 28, in Kane County

The application for a Natural Resources Inventory 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 Natural Resources Inventory is not required at this time for the proposed zoning change because **this land is only being rezoned from F to F1 and there will be no ground disturbance of the land.** Therefore, no further action will be taken by the Soil and Water Conservation District Board. All NRI decisions are valid for **five** years for the stated purpose only. However, **if there are deviations from the submitted application or plan or increase of impervious surface, a full NRI report may be required, and an application may need to be resubmitted.**

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

Sincerely,

A handwritten signature in cursive script that reads "Isabella Borzeka".

Isabella Borzeka
Resource Assistant

Applicant: Dana Dee Engel
Contact: Scott D. Becker
Address: S3892 Fish Pond Rd
Reedsburg, WI 60134

IDNR Project Number: 2411530
Date: 03/08/2024

Project: Engel Rezoning Farm Homestead
Address: 48W137 Middleton Rd., Hampshire

Description: The Applicant is seeking to re-zone an existing farm homestead from F to F1 zoning so that they may sell the existing home and buildings to a third party and keep their surrounding farm property. No construction will be completed and no change in use to the land will occur.

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:
41N, 6E, 28



IL Department of Natural Resources

Contact

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

Government Jurisdiction

Kane County Development Department
Keith Berkhout
719 S Batavia Ave
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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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.
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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.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.