

## Zoning Request Report County of Kane

Kane County Development 719 Batavia Ave Geneva, IL 60134 Phone: (630) 232-3492 Fax: (630) 232-3411

TO: Kane County Zoning Board Of Appeals Kane County Development Committee County Board Member District

Janice Hill

Petitioner

Carl Scheodel

Mark VanKerkhoff

Monica Meyers

PETITION NUMBER 2015-4369 Date

10/26/2015

GENERAL INFORMATION

APPLICANT:

DEVELOPMENT PROPERTIES, INC

JOHN THORNHILL

44 WHITE OAK CIRCLE

ST. CHARLES

60174

PURPOSE:

REZONING PROPERTY FOR AN ADDITIONAL RESIDENCE

EXISTING ZONING:

F - FARMING;

REQUESTED ACTION:

F-1 - RURAL RESIDENTIAL,

SIZE:

6.38 ACRES

LOCATION:

48W420 WELTER ROAD, SECTION 16, VIRGIL TOWNSHIP (07-16-200-011)

SURROUNDING

ZONING

USE

**NORTH** 

F - FARMING;

AGRICULTURAL;

SOUTH

F - FARMING;

AGRICULTURAL;

**EAST** 

F - FARMING;

RESIDENTIAL;

WEST

F - FARMING;

AGRICULTURAL;

EXISTING LAND USE:

RESIDENTIAL, AGRICULTURAL:

LAND USE PLAN

DESIGNATION:

AGRICULTURAL

ZONING HISTORY:

NO PREVIOUS REQUESTS FOR THIS PARCEL

APPLICABLE LAND

ARTICLE VIII, SECTION 8.2 OF THE KANE COUNTY ZONING ORDINANCE

USE REGULATION:

## Peter Fabrizius, et ux Rezoning from F to F-1

**Special Information:** The property has a farmhouse from 1890 and several agricultural buildings. The farmland was divided off from the residential portion of the property in 2012, leaving the home in violation of the Kane County Zoning Ordinance. The petitioner is requesting a rezoning to allow for the subdivision of this residential portion of property to bring the existing home into conformance with the Zoning Ordinance and create one additional residential parcel to the east for the petitioner's daughter. The petitioner's representative has stated the area for the new eastern parcel is not highly productive farmland and its narrow shape makes it difficult to farm.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Agricultural. The Plan recognizes that not all land in this area is suitable for farming and that some land can be used for farmsteads and very low density residential uses.

## Findings of Fact:

- 1. The rezoning will allow for one additional residential parcel.
- 2. The rezoning will bring the existing home into conformance with the Kane County Zoning Ordinance.

Attachments: Location Map

Township Map

# Findings of Fact Sheet – Rezoning

- 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.

# Fabrizius Rezoning and Minor Subdivision Name of Development/Applicant

August 31, 2015

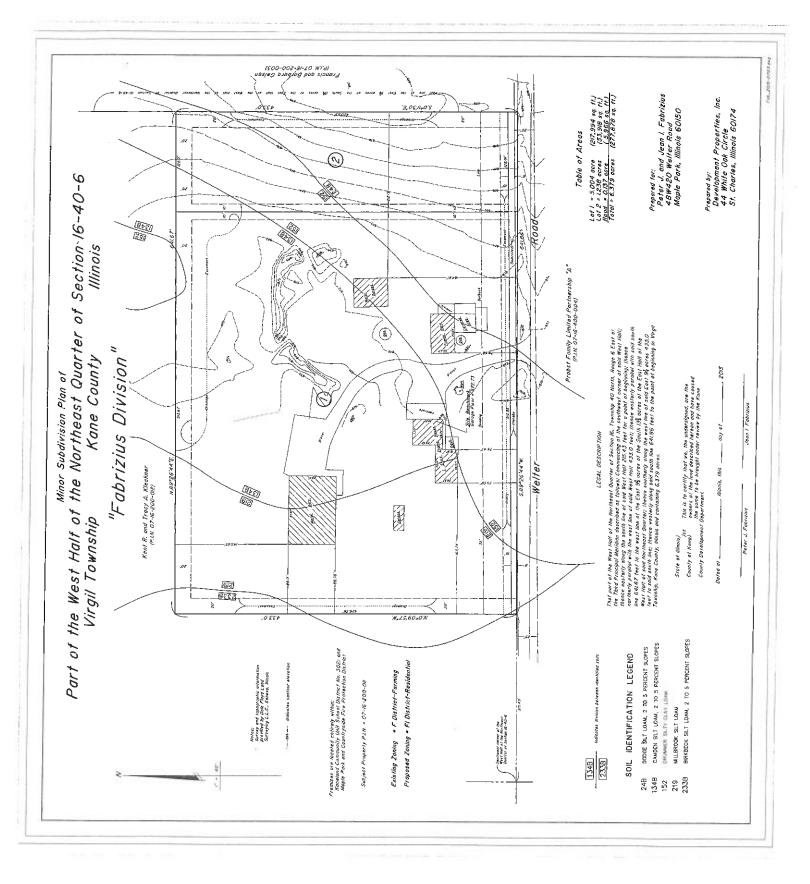
1. How does your proposed use relate to the existing uses of property within the general area of the property in question?

There are other scattered single–family lots in the area as a result of earlier divisions of parcels unsuitable for farming.

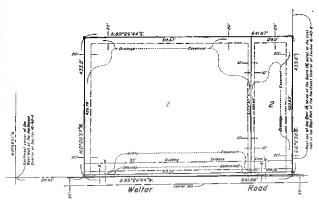
- 2. What are the zoning classifications of properties in the general area of the property in question? F District-Farming and F1 District-Rural Residential.
- **3.** How does the suitability of the property in question relate to the uses permitted under the existing zoning classification?

The subject property is unsuitable for any viable agricultural enterprise because of its small size; the tillable land has been sold off to enlarge an adjacent farming operation.

- **4.** What is the trend of development, if any, in the general area of the property in question? There is little or no development in the general area except for isolated parcels, like the subject property, that lend themselves to very limited uses.
- **5.** How does the projected use of the property, relate to the Kane County 2040 Land Use Plan? The proposed re-classification and use of the subject property is anticipated within the text of the 2040 Land Use Plan under *Section 3.2 Agriculture* and is, therefore, consistent with the 2040 Plan.



#### Fabrizius Division Virgil Township Kane County Illinois



1 100

- . Indicates iron stake
- Indicates concrete monument

#### Table of Areas

Lot I = 5.004 acre Lat 2 = 1.238 acres Road = 0.137 acre Total = 6.379 acres (217,994 sq. ft.) (53,910 sq. ft.) (5,966 sq. ft.) (277,878 sq. ft.)

State at Ittinaist

Dated at Geneva, Illinois, July 6, 2015

Illinois Professional Land Surveyor No. 3908
License expires November 30, 2016

County of Kane)

This is to certify that we, Peter J. Fabrizius and Jean I. Fabrizius, are the owners of the land described in the largeping surveyor's certificate and have coursed the same to be surveyed, subdivided and pollted as shown by the amered plot for the uses and purposes therein set forth as allowed and provided by statute, the subdivision to be known as "FABRIZUS DIVISION, VIRGIL TOWNISHIP, KANE COUNTY, ILLINIOIS", and we hereby acknowledge and adopt the same under the style and title aforesaid. Said premises are located within Community Unit School District No. 302.

\_\_day of \_

Peter J. Fobrizius	Jean I. Fabrizius
	ic in and for the County and State aforesoin
	an I. Fabrizius, who are personally known to
ie ine some persons vnose names are su	bscribed to the toregoing owners' certificati

State of Illinois

rope the some persons whose maines are souscinary to the toregoing owners certificate, appeared before me this day in person and achowledged the execution of the annexed plat and accomponying instrument as their free and valuatory act.

Given under n	ny hand and	Notorial Seal,	this	doy of	 	2015.
		No	tary Public			

\_ day of \_ 2015

State of Illinois) iss County of Kene) Accepted and approved this \_\_\_\_ County Engineer

Realth Officer

Dated at Elburn, Illinois, this \_\_\_\_

Accepted and approved this \_\_\_\_\_\_day of \_\_\_\_ County of Kanel Starmwater Grainance Administrator

State of Minors) Jas County of Kane) Accepted and approved this \_\_\_\_\_ day of \_\_\_

State of Illinois) Accepted and approved this \_\_\_\_\_ day of \_\_\_\_ Plat Officer

#### CONDITIONS COMMON TO ALL EASEMENTS

It is expressly understood that the experient provisions shown hereon exist by virtue of the authority granted to counties personal to 55 it.C5 575-1041, 55 it.C5 575-1049, and other relevant state laws, rules and regulations in larce of the time of submission of this plot to the relevant state laws, rules and regulations in larce of the time of submission of this plot to the grant or deficient of any uses must include the nothing continued therein in any grant or deficient on 50 vision that end of the county of Kane or any Department of bright that on the submission of the county of Kane or any Department of bright that of the submission of the county of Kane or any Department of the county of Kane or any Department of the county of the county of the organization of the county of the county of the organization of the county of th

#### UTILITY EASEMENT PROVISIONS

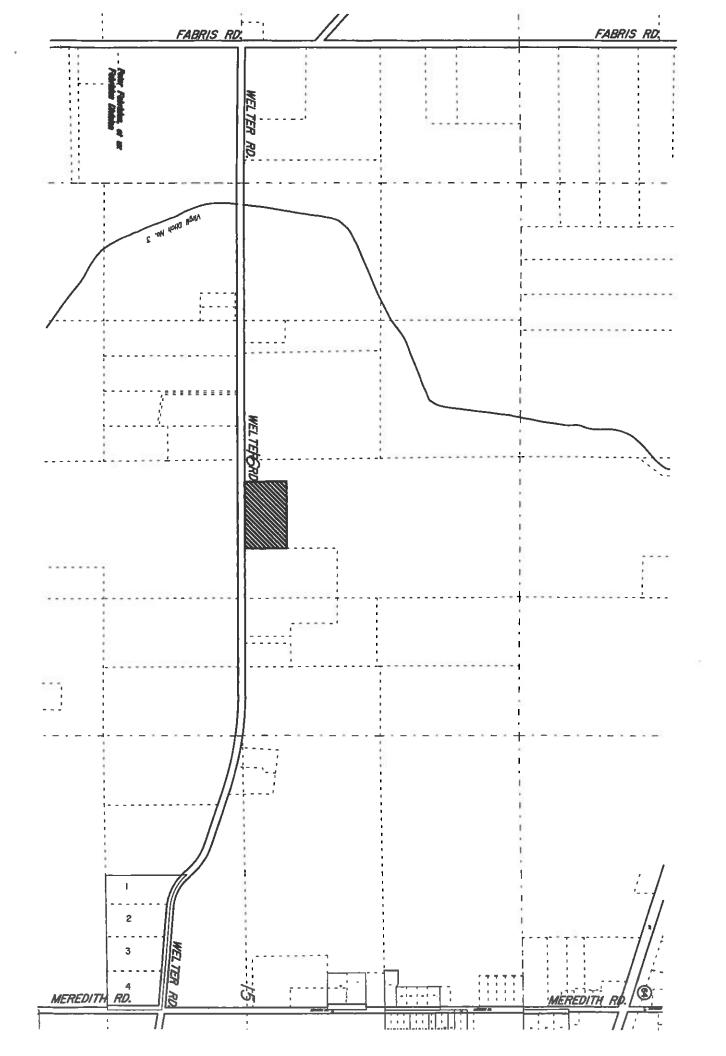
A permanent non-exclusive easement is heavy reserved of an only greated to the County of Kone and to all public utility and other companies of any kind operating under tranchise granting them rights from the Caunty of Kone including, but not limitled to, the following companies: SSC, Commonwealth Edison Company, and Micur Gus Company and to fleat successors and easyings herearister the Grantes\*), in an upon, across, very, under and through the areas shown by dashed lines and labeled "Utility Casament" on this plat of subdivision and where indicated in the above legand for the purpose of installing, inspecting, reparting, replacing, returning, otterwing enginging, removing, cleaning and maintaining electrical, cable television, communication, gas, telephone or other utility lines and appurtenences, and such term installations and service communication, gas, telephone or other utility lines and appurtenences, and such term installations and service communication, gas, telephone or other utility lines and appurtenences, and such the right of access across the real estates platfed hereon for the mecasory personnel and eeophymnat to do any or oil of the above work. We permanent buildings or trass shall be placed on said assemblist, but the premises may be ested for gardens, shrubs, induceaging, and other purposes that do not then or later interface with the offured access to shall not be erected upon said easements in any vay which will restrict the uses their interface with the offured of a caces to said whilly installation in, on, upon, across, over, other plants that its affect hereafted to the Grantee to cut down from or remove any frees, lances, shrubs, or other plants that its affect of the district of a caces is and the will will programment of any such improvements, fearces, shrubs, or longstoping removed wing exercise of the hereingiven rights. Replacement of its work of the district of the programment of the care.

#### DRAWAGE EASEMENT PROVISIONS

A permonent non-exclusive eosement is hereby reserved for and granted to the County of Kane (hereinetter "the Grantee"), and to its successors and assigns, on, upon, across, over, under and through the areas shown by dashed ines and labeled "Drainage Genemat" on this pol of suddivision, or where otherwise notes in the own legand for the purpose of installing, constructing, inspecting, specialing, relating, salering, enlarging, removing, replacing, relating, salering, enlarging, removing, reporting, citizen of installing, constructing, inspecting, specialing, citizen evit determine and ordered relating installing, constructions, such other installiations as the Grantee any deem necessary, together with the right of excess across the real estate platted becan for the necessary personnel and equipment to do any or all of the above vark. In turtherunce of the trapsing offirmative rights, the fallowing covenants shall raw this add land in pretty; No permonant buildings or structures shall be placed on said Urainage Easement; No trees or shrubs shall be placed and and Urainage Easement; to trees or shrubs shall be placed and said Chainage Easement; and other purposes that do not have not retering the first with the othersoid uses and rights; there shall be no dredged or fill indicate placed upon said Drainage Easement in any very which will restrict uses a harving granted. The right is also hereby granted to the Grantee to remove any ungermitted buildings or structures, to act down, time or remove any trees, tenese, shrubs, or other plants that have been stating and the responsibility of the access of the statistics of any such administration of the plants that have been a disconting a structure, to such drainage facility in, on, upon, across, aver, under or through sold Urainage Easement. The Grantee shot not be such drainage facility in, on, upon, across, aver, ander or through sold Urainage Casemant. The Grantee shot of any such buildings, structures, indicate, any deeps, saferies, or deeps, saferies, or deeps, sa A permanent non-exclusive eosement is hereby reserved for and granted to the County of Kane (hereinatter "the

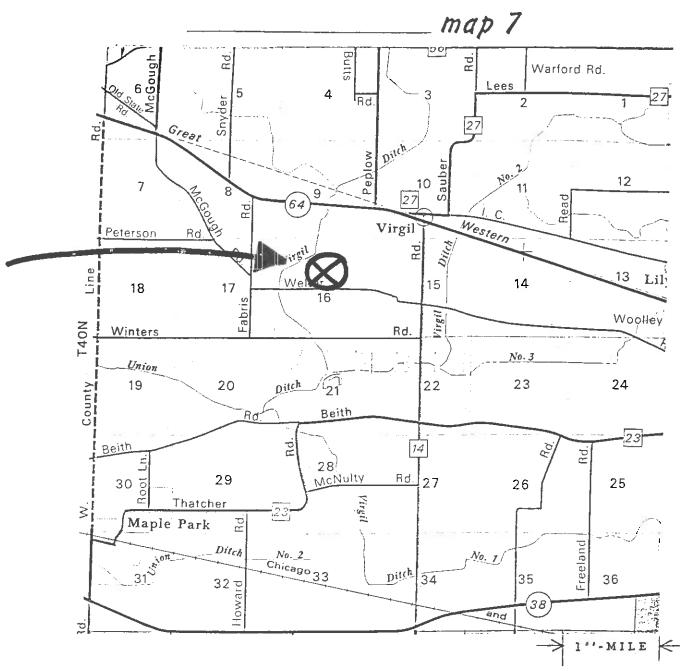
State of Illinois) Jes County of Kane)	This is to certify that t, John A. Cunningham, County Clerk in and for the County and State aforescipt, land no delinquent general taxes, unpaid current general taxes, delinquent special assessments on unpaid current special assessments against any of the real estate.				
	Dated at Genera, Illinois, this day at, 2015.	. 2015.			
	County Cherk				
State of Illinois) )ss County of Kane)	This Instrument No.  Office of Kook County, Nings, on the	er's ( e)			

County Recorder



# VIRGIL twp. T.40N - R.6E

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