

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

<i>Received Date</i>
D2-2016-0037

**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): Lot 7 11-29-126-003
	Street Address (or common location if no address is assigned): 43w580 Willow Creek Drive Elburn, IL. 60119

2. Applicant Information:	Name Michael Kowalczyk	Phone (630) 448-1083
	Address 43w580 Willow Creek Dr.	Fax N/A
	Elburn IL. 60119	Email angryeggplant@icloud.com

3. Owner of record information:	Name SAME AS ABOVE	Phone —
	Address —	Fax
		Email

Zoning and Use Information:

2040 Plan Land Use Designation of the property: Residential

Current zoning of the property: PUD / UNINCORPORATED

Current use of the property: Residential / Unincorporated

Proposed zoning of the property: Amend PUD to allow livestock

Proposed use of the property: Residential & Agriculture

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

Attachment Checklist

- ? Plat of Survey prepared by an Illinois Registered Land Surveyor.
- Legal description
- ✓ Completed Land Use Opinion application (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.
- n/a Endangered Species Consultation Agency Action Report (available in pdf form at www.dnr.state.il.us/orep/nrrc/aar.htm) to be filed with the Illinois Department of Natural Resources.
- 3 List of record owners of all property adjacent & adjoining to subject property
- n/a 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.

Mike Hornell
Record Owner

Dec 1, 2016
Date

Stacey Kowalczyk
Applicant or Authorized Agent

Dec 1, 2016
Date

Mike Hornell

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.

Michael Kowalczyk
Name of Development/Applicant

Dec. 1, 2016
Date

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

We are in unincorporated Kane County, across the street is a corn farm, we are right by Fisherman's in. Our neighbors all have plants, large acre lots, and some also have chickens as well. Everyone around our area has a rural/farm feel. our coupe matches surrounding area well w/our home.

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

Agriculture, R1, PUD, Unincorporated

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

We are on roughly 1.5 acres. Our Coupe cannot be seen from the street and is about 140' feet away from our neighbor's residence and 91' from property line. Our entire property is fenced in & is a 1896 Victorian Farmhouse. We were under the impression told by us at Elburn Village Hall & NewFrog that anyone over 1 acre in unincorporated KANE County can have animals.

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

There is only a couple acre lots in our area left, everyone is on 1 acre or more sized lots and our Willow Creek neighborhood is surrounded by forest preserve & farmland. There has not been any development here in the 12+ years we have lived here, now there is one more home being built we are aware of.

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

As far as we are aware, our area is not changing much, and in the future will be unincorporated Residential. Hopefully, if not, we fit in a Modern Day PUD just fine. Pl. study sustainability and homesteading is in the 2040 future top trend! Healthy Food & Practices, simpler living.

2

Michael Kowalczyk
Amendment to existing PUD to allow livestock

Special Information: The petitioners currently have numerous livestock on their property, some of which the family consider as pets. The property is zoned PUD-Planned Unit Development and livestock is not permitted in this District. The existence of the animals was revealed when the County received a complaint from a neighboring property. The petitioners are seeking an amendment to the PUD to allow the animals to remain.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Rural Residential. The PUD zoning for this subdivision was granted in 1980. Article XII, Section 12.1-4 was amended in 1997 to prohibit agriculture in the PUD District.

Staff recommended Finding of Facts:

1. The Amendment would allow livestock on the property.

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

Plat of Survey of Lot 7 in Willow Creek Blackberry Township, Kane County, Illinois

State of Illinois)
)ss
County of Kane)

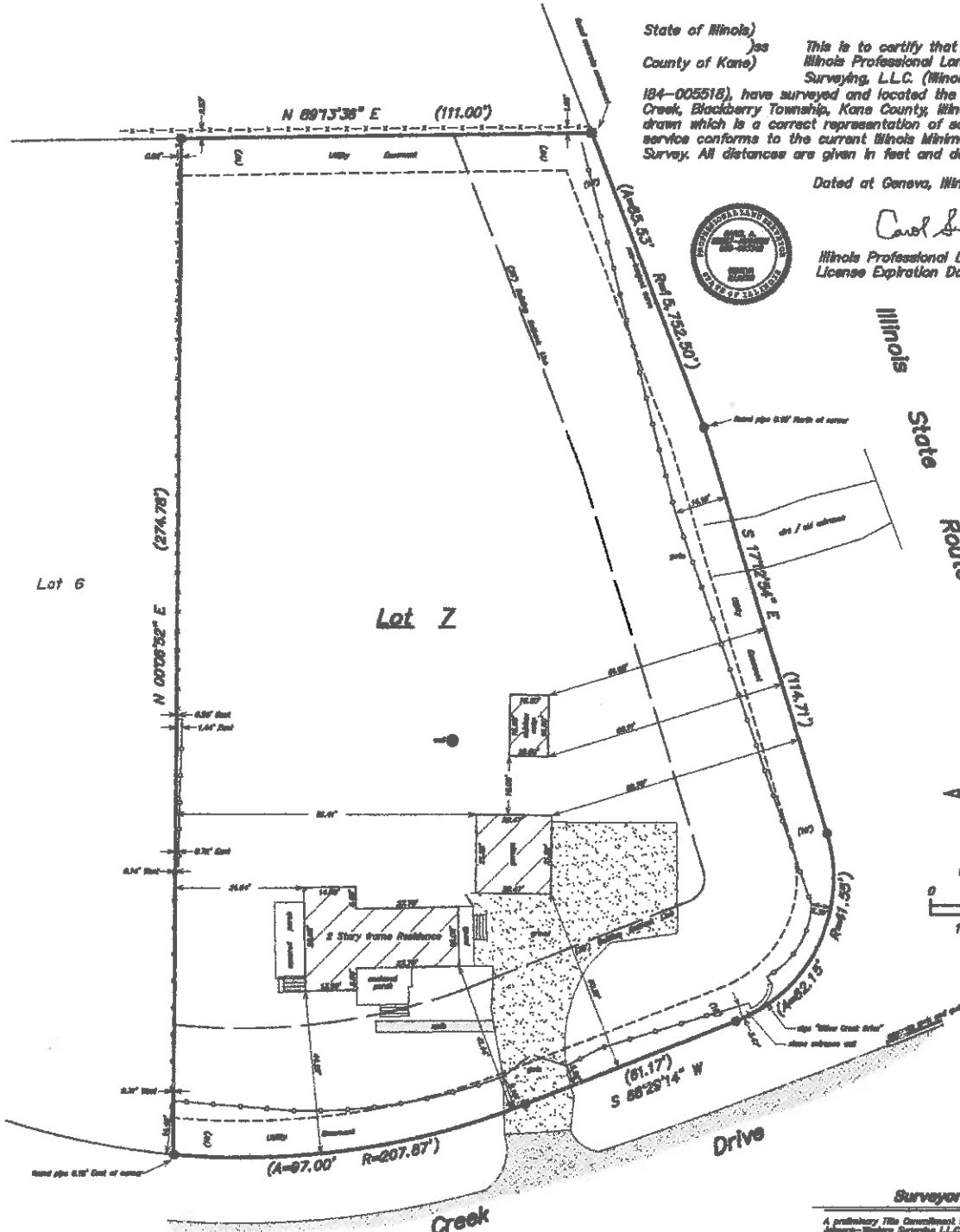
This is to certify that I, Carol Sweet-Johnson, an Illinois Professional Land Surveyor of Johnson-Western Surveying, L.L.C. (Illinois Professional Design Firm No. 184-005518), have surveyed and located the improvements on Lot 7 in Willow Creek, Blackberry Township, Kane County, Illinois as shown by the plat hereon drawn which is a correct representation of said survey and this professional service conforms to the current Illinois Minimum Standards for a Boundary Survey. All distances are given in feet and decimal parts thereof.

Dated at Geneva, Illinois, November 23, 2016.



Carol Sweet-Johnson

Illinois Professional Land Surveyor No. 3342
License Expiration Date: November 30, 2018



Legend

	Indicates concrete monument
	Indicates iron stake
	Indicates measured data
	Indicates record data
	Indicates asphalt surface
	Indicates concrete surface
	Indicates gravel surface
	Indicates fence line
	Indicates wood fence line

Prepared by:
Johnson - Western Surveying, L.L.C.
A Measure Above the Rest
1 Chain = 66 Feet
825 West State Street, Suite 207
Geneva, Illinois 60134
(630) 848-3188 (630) 715-8889 cell
Copyright © 2016, Johnson-Western Surveying, L.L.C.

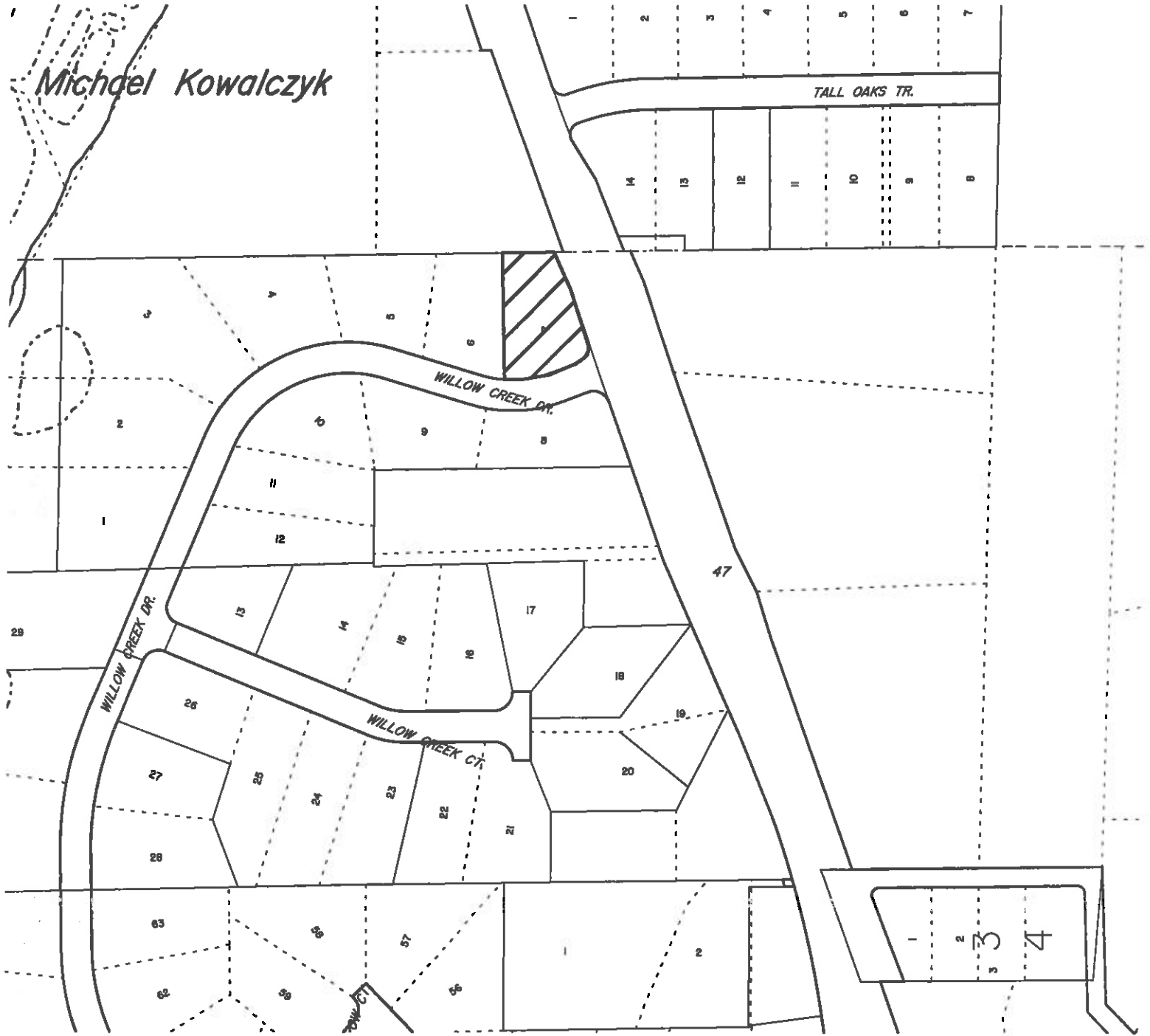
Surveyor's Notes

A preliminary Title Commitment was not furnished to Johnson-Western Surveying L.L.C. for use in preparation of this plat. Therefore additional searches and/or verifications may affect this property.
Willow Creek recorded August 12, 1880 as Document 1880705 in Plat Book 128A.
This plat is not valid without the Surveyor's original signature and impressed seal.
Compare the data on this plat with your deed and or Certificate of Title. Also compare all points prior to building by the owner and report any differences to the Surveyor immediately.
Common Address: 41880 Willow Creek Drive, Elmhurst, Illinois
Permit Identification Number: 14-20-128-003

Ordered by & Prepared for:
Michael Kowalczyk

Field Bk/Page No. N/A	S-T-#
File Name: 2016-387	Drawn by: M/TZ
Directory: Projects/2016-207	Job No.: 2016-387

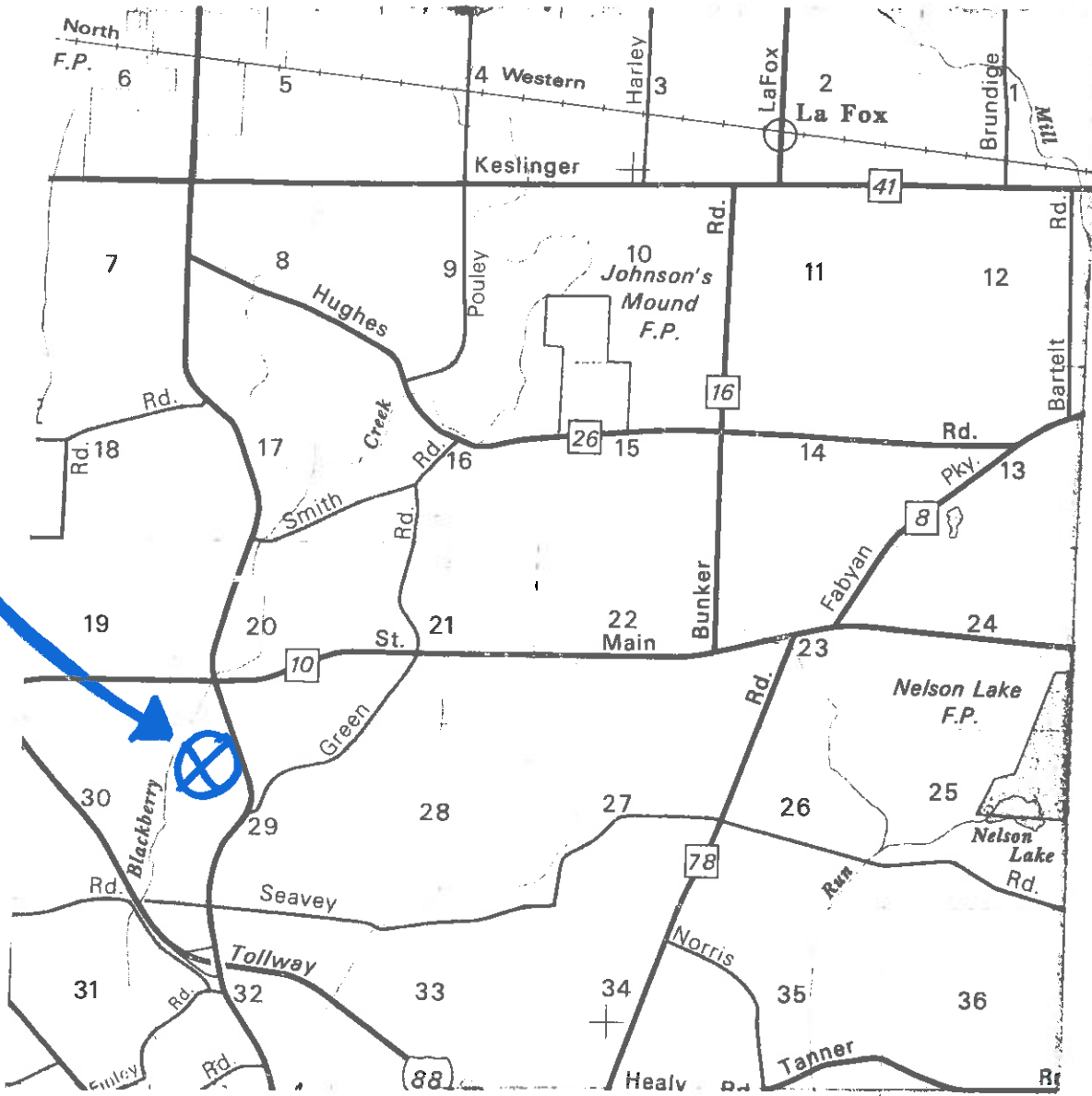
Michaél Kowalczyk



BLACKBERRY twp.

T.39N - R.7E

map 11



1" = 1 MILE