

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> AUG 17 2017 Kane Co. Dev. Dept. Zoning Division
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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): 11-01-200-011
	Street Address (or common location if no address is assigned): 1N545 BRUNDIGE ROAD ELBURN, IL 60119

ANDREW E. FRASZ & GAIL G. FRASZ AS TRUSTEES OF THE

2. Applicant Information:	Name ANDREW E. FRASZ & GAIL G. FRASZ TRUST DATED JAN 27, 1999	Phone 630-514-2153
	Address C/O RICHARD L. WILLIAMS, GRIFFIN WILLIAMS LLP	Fax
	21 N. 4TH STREET GENEVA, IL 60134	Email RWILLIAMS@GWLLPLAW.COM

3. Owner of record information:	Name SAME AS APPLICANT ABOVE	Phone 630-514-2153
	Address 1N545 BRUDIGE ROAD	Fax 630-232-8463
	ELBURN, IL 60119	Email AEFRASZ@AOL.COM

Zoning and Use Information:

2040 Plan Land Use Designation of the property: **RESOURCE MANAGEMENT**

Current zoning of the property: **F WITH INTERIM SPECIAL USE FOR "RESIDENTIAL SITE WORK"**

Current use of the property: **COMMERCIAL USE PERFORMING "RESIDENTIAL SITE WORK"**

Proposed zoning of the property: **F WITH INTERIM SPECIAL USE FOR RESIDENTIAL SITE WORK- EXTEND ADDITIONAL 2 YEARS**

Proposed use of the property:

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

NONE

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.
- 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.
- List of record owners of all property adjacent & adjoining to 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.

8-17-17

Record Owner

Date

Applicant or Authorized Agent

Date

October 2, 2017

Andrew and Gail Frasz Trust
Interim Special Use request for two years for a residential site work business

Special Information: In 1984, the current owners were granted a map amendment from F to F-2 District-Special Use for a tree nursery business/landscaping business. Over time, that business evolved into an excavation company specializing in “residential site work”, which includes landscaping, excavation, trucking, septic system installation and other related operations. In 2008, a rezoning of the property was approved from F-2 to F. The F-Farming District allows for Interim Special Uses. The petitioners requested and were granted a seven-year Interim Special Use for the residential site work business, which would allow it be slowly phased out. The petitioners have recently acquired a property in the Village of Elburn which they will begin relocating the business to. The two-year extension of the Interim Special Use will allow the business time to fully relocate.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Resource Management. Under the 2040 Plan, Resource Management is a land use category that provides county growth opportunities while emphasizing wise management of land and water resources. The purpose of Resource Management is to provide opportunities for the implementation of Smart Growth development that respects the character and carrying capacity of the land.

Findings of Fact:

1. The business will not intensify but rather it will be phased out over time;
2. The business will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
3. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
4. The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
5. Adequate utility, access roads, and drainage is being provided.

Attachments: Location Map
Township Map

FINDINGS OF FACT SHEET-EXTENSION OF INTERIM SPECIAL USE

ANDREW & GAIL FRASZ, TRUSTEES

DATED: AUGUST 14, 2017

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

The previously approved Interim Special Use (the "ISU") is consistent with the existing uses of property within the general area of the Subject Property. The extension of the ISU will continue to be consistent with the existing uses.

2. What are the zoning classification of the properties in the general area of the property in questions?

The zoning classifications of surrounding properties are generally F to the north and south, and PUD settlements of LaFox to the East and West.

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

The Subject Property is suitable for the existing use, and continued use by virtue of a two (2) year extension of the ISU. Uses under the existing ISU have become less intensive since approval, and residential site excavation is an appropriate use in a sparsely populated, F zoning area. Although properties to the east and west are zoned PUD, they are only used for farm or forest preserve purposes only.

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

Since the approval of the ISU, there has been a drastic downturn in the health of the economy, and there has been little development, if any, in the subject area, as evidenced by the non-development of adjacent PUD lands. While the overall economy appears to be improving slightly, there are no immediate plans known to applicant for development in the general area of the Subject Property.

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

The existing and proposed extended ISU for the Subject Property is consistent with the Kane County 2040 Land Use Plan.

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 continued maintenance and operation of Petitioner's Interim Special Use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare as

evidence by the fact that Petitioner has maintained and operated the current commercial use for several years without any detrimental impact on the stated categorical or complaints by surrounding property owners.

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

The continued ISU will not intensify any traffic offsite or onsite activity, and therefore will not be injurious to the use, enjoyment and value of other property in the immediate vicinity, which is mainly used for farm, open space, and rural residential purposes.

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

There will be little or no impact on surrounding property owners, as the continued ISUE is a self-contained, low intensity use, with little or no traffic impact.

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

The Subject Property contains all of the limited improvements necessary for the continued ISU, and no additional facilities will be necessary.

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

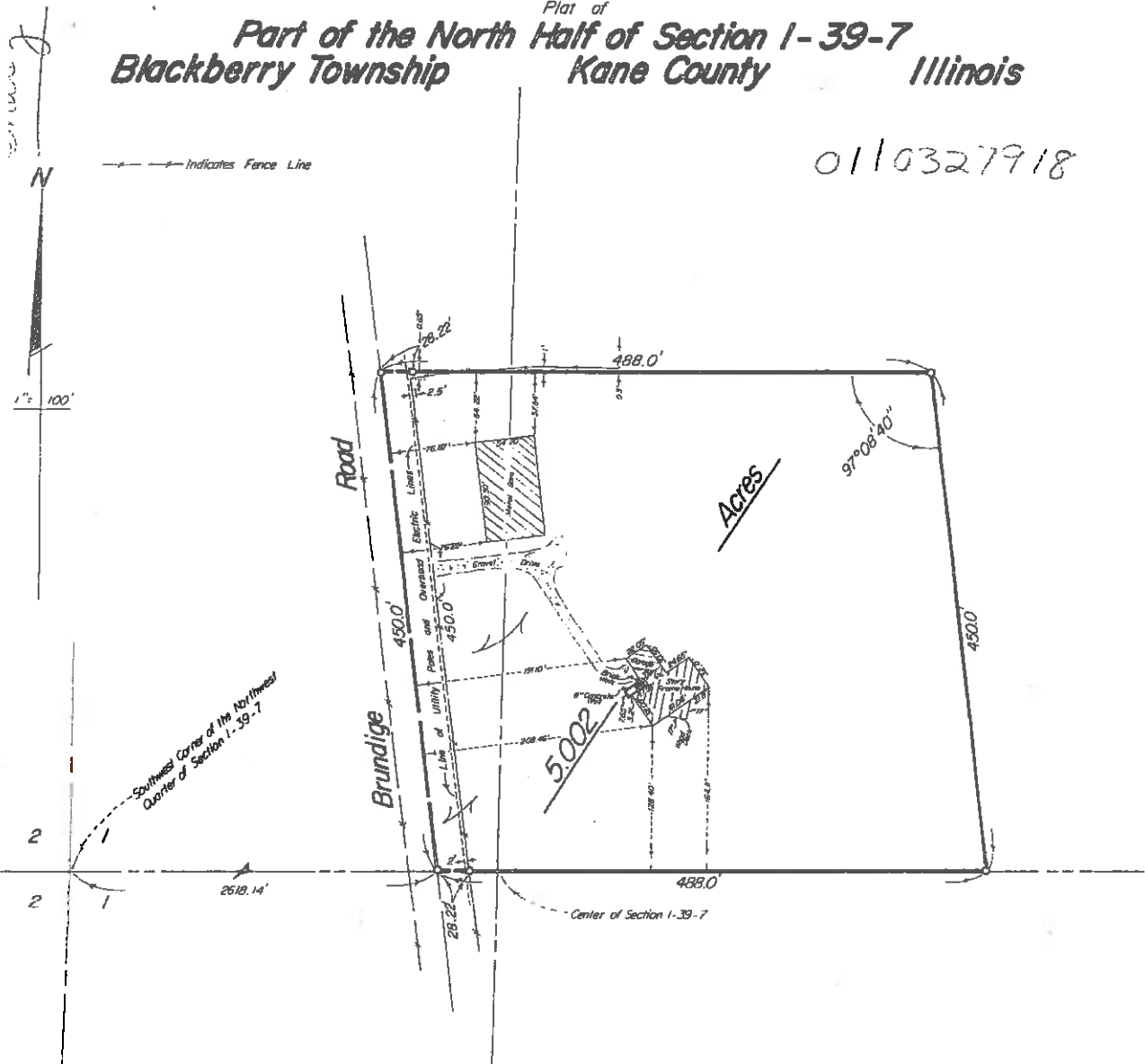
There presently exists adequate means of ingress and egress onto Brundige Road, which at this location is a gravel road and not generally travelled other than by those working or residing on Brundige Road, and with generally low average daily traffic volumes.

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

The ISU conforms to applicable regulations provided for F Special Uses pursuant to the Kane County Zoning Ordinance.

Plat of
Part of the North Half of Section 1-39-7
Blackberry Township Kane County **Illinois**

0110327918



State of Illinois)

County of Kane)

ss This is to certify that I, John A. Thornhill, Jr., an Illinois Registered Land Surveyor of Donahue and Thornhill, Inc., have located the improvements on that part of the North Fractional Half of Section 1, Township 39 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the southwest corner of the Northwest Fractional Quarter of said Section; thence easterly along the south line of said North Half 2618.14 feet to the center line of Brundige Road for a point of beginning; thence continuing easterly along said south line 488.0 feet; thence northerly parallel with said center line 450.0 feet; thence westerly parallel with said south line 488.0 feet to said center line; thence southerly along said center line 450.0 feet to the point of beginning, in Blackberry Township, Kane County, Illinois and containing 5.002 acres as shown by the plat hereon drawn which is a correct representation of said location. All distances are given in feet and decimal parts thereof.

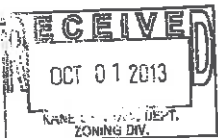
Dated at Geneva, Illinois, February 27, 1986

John A. Thornhill, Jr.
 Illinois Registered Land Surveyor No. 1740

DONAHUE and THORNHILL, INC.

GENEVA ILLINOIS

(312) 232-7418



AUG 6

EXISTING SITE LAYOUT PLAN



2- 50 WATT DOUBLE SPOT LIGHT
MOTION ACTIVATION SWITCH

DELIMITATION LINE
FOR GRAVEL & GRASS

* Fertilizer shall confer
outside Storage of materials
their location and

2- 60 WATT
COACH LIGHTS
LIGHT ACTIVATION
SWITCH

1- 100 WATT CFL
LIGHT
ACTIVATION
SWITCH

PROPOSED EXIT PLAN



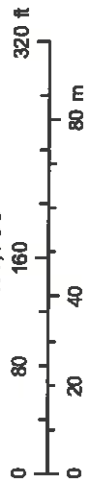
A. E. Frosz, Inc.
 1 N. 245. Brunson Rd.
 Elburn, IL 60120

Map Title



September 6, 2017

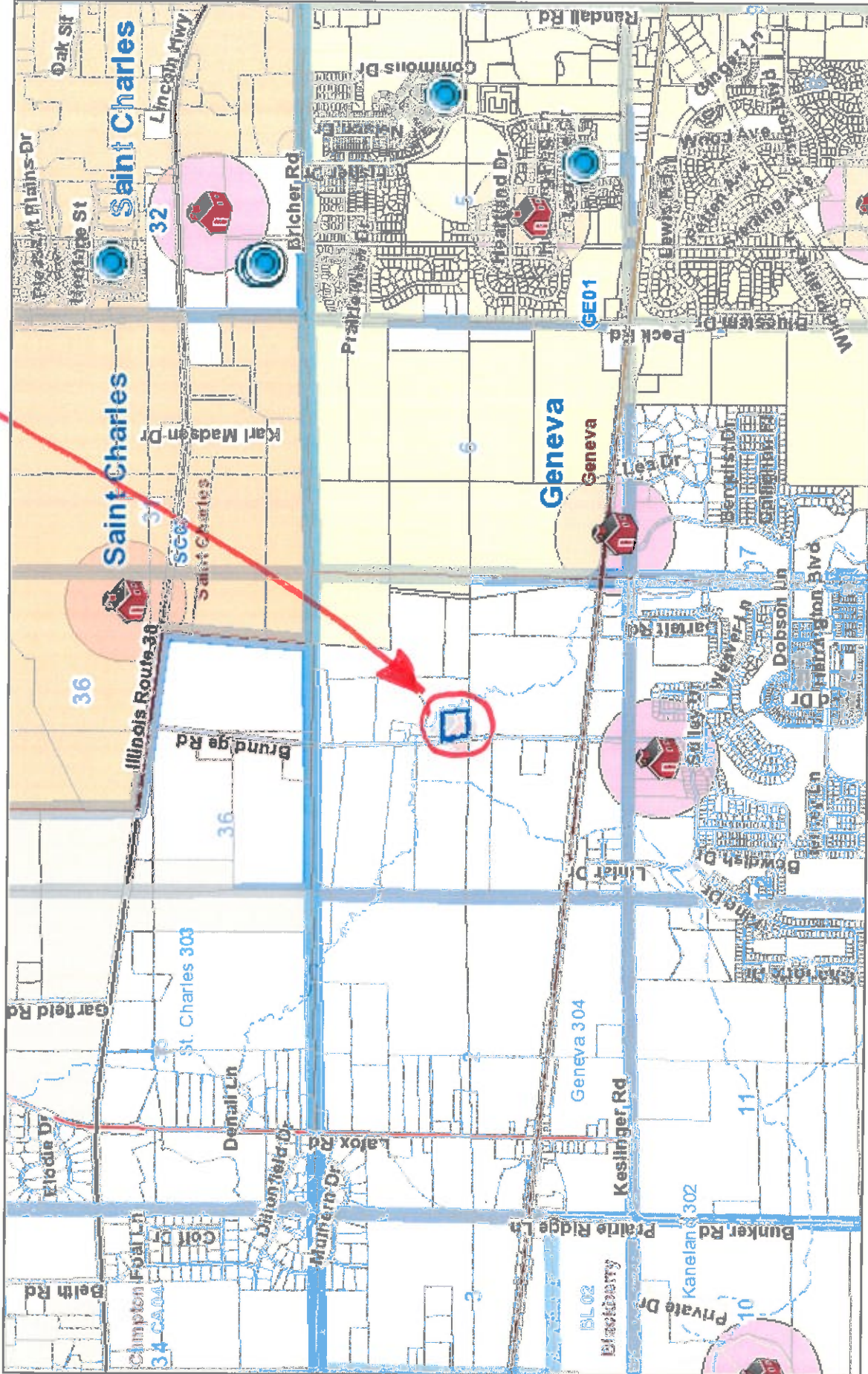
1:1,705



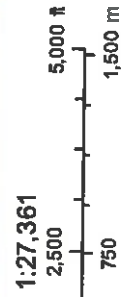
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GIS-Technologies
Kane County Illinois

Map Title



September 6, 2017



Source : GIS-Technologies
GIS-Technologies

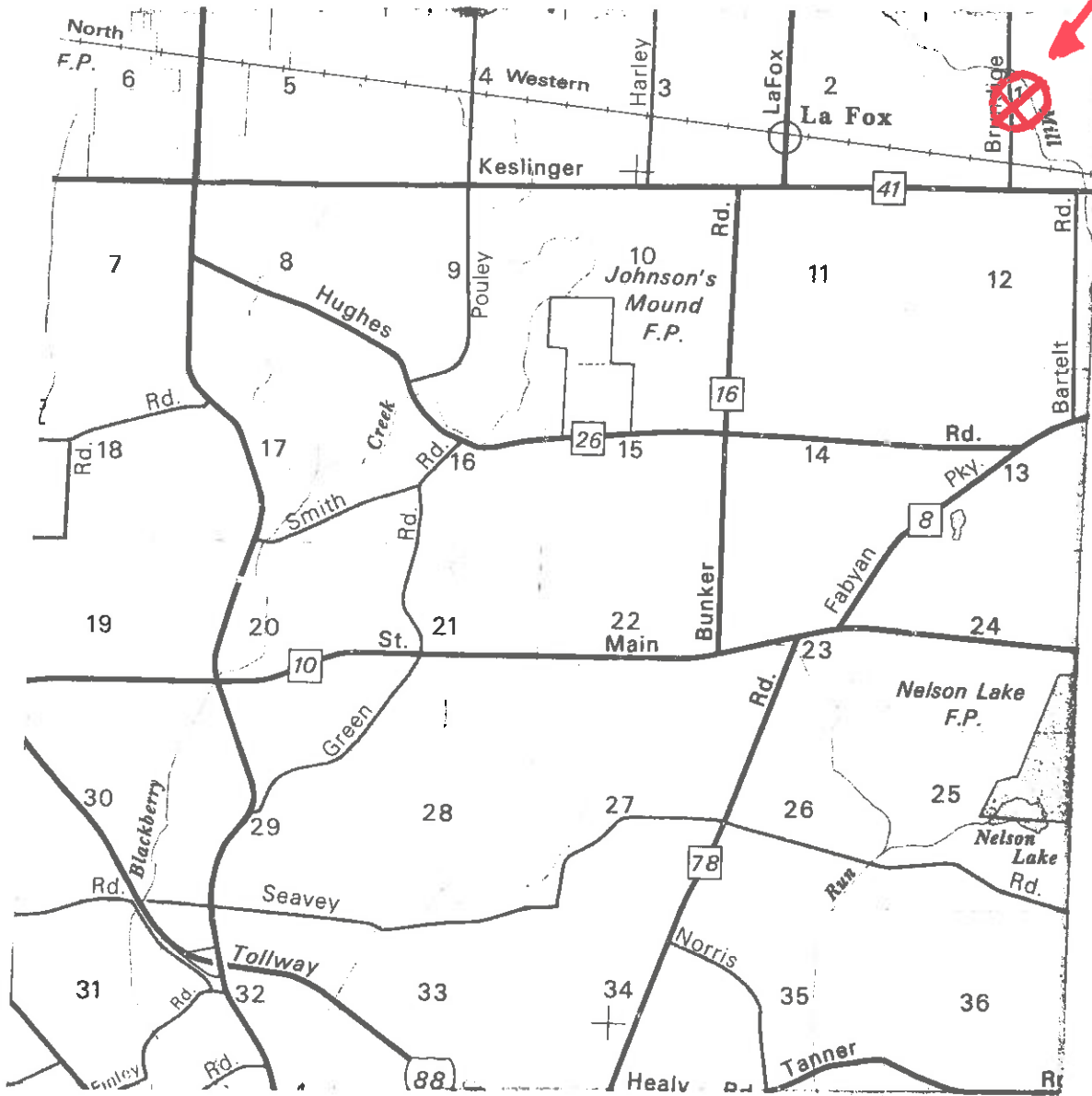
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GIS-Technologies
Kane County Illinois

BLACKBERRY twp.

T.39N - R.7E

map 11



1" = MILE