

KANE COUNTY DEVELOPMENT DEPARTMENT

Zoning Division, Kane County Government Center

719 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): 03-04-451-003
	Street Address (or common location if no address is assigned): 35 W 211 LATHROP WEST DUNDIE, IL

2. Applicant Information:	Name JOSE C. RAMIREZ	Phone (847) 454-0509
	Address 35 W 211 LATHROP	Fax
	WEST DUNDIE, IL	Email NONE

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

July 17, 2018

Jose Ramirez
Five-year Interim Special Use in the F-Farming District for a landscaping business

Special Information: For the past 11 years the petitioner has been operating a landscaping business out of the southwest portion of the property. This business is a violation of the F-Farming District and was recently brought to Staff's attention. He has been cited for the violation and is seeking an Interim Special Use for five years to allow the business to remain on the property.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Countryside Estate Residential.

Staff recommended Findings of Fact:

1. The Interim Special Use will allow the existing business to operate from the property.

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

COUNTRYSIDE ESTATE
RESIDENTIAL

Zoning and Use Information:

2040 Plan Land Use Designation of the property: F - FARMING (COUNTRYSIDE ESTATE RESIDENTIAL)
Current zoning of the property: F - FARMING
Current use of the property: PARKING VEHICLES FOR TREE BUSINESS + RESIDENCE
Proposed zoning of the property: INTERIM SPECIAL USE FOR LANDSCAPING BUSINESS
Proposed use of the property: SAME AS CURRENT USE + RESIDENTIAL

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

NO NEW IMPROVEMENTS PLANNED - ACTIVITY WILL STAY THE SAME FOR THE 5 YEAR PERIOD

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.

John Doherty 10/2/17
Record Owner Date

John Doherty 11/11/18
Applicant or Authorized Agent Date

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.

JOSE C. RAMIREZ
Name of Development/Applicant

10/2/17
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 USES OF PROPERTY IN THE AREA IS FARMING, EQUINE ACTIVITIES, LANDSCAPING - MY PROPOSED USE IS SIMILAR

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

F - FARMING

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

PROPERTY IN QUESTION WOULD BE UTILIZED IN A FASHION SIMILAR TO SURROUNDING PROPERTIES

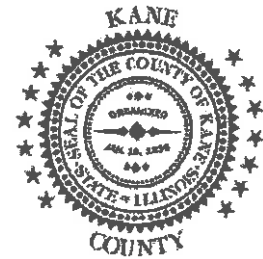
4. What is the trend of development, if any, in the general area of the property in question?

I PURCHASED THE PROPERTY IN 2006 AND EVERYTHING IS PRETTY MUCH THE SAME

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

THE RESIDENTIAL ASPECT FITS AS I RESIDE IN THE HOUSE ON THE PROPERTY AND THE SPECIAL USE REQUEST FOR MY LANDSCAPING DOES NOT, I BELIEVE, DEVIATE SIGNIFICANTLY FROM THAT LAND USE PLAN

Findings of Fact Sheet – Special Use



Special Use Request

Date 10/2/17

- 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.

PARKING VEHICLES RELATIVE TO MY TREE BUSINESS WILL NOT ENDANGER PUBLIC HEALTH, SAFETY, MORALS, COMFORT, OR GENERAL WELFARE

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

MY VEHICLES WILL BE PARKED BEHIND A BARN AND FAR FROM THE LATHROP ROAD - SO SHOULD ENDANGER OR BE INJURIOUS TO NO USE, ENJOYMENT, OR VALUE.

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

THE SPECIAL USE WILL OCCUR ONLY IN A SMALL PORTION AT THE REAR OF MY PROPERTY AND MY VEHICLES FIT WITH THE FARM MACHINERY + IMPLEMENTS CURRENTLY IN USE IN THE SURROUNDING PROPERTY.

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

NO UTILITIES REQUIRED - VEHICLES HAVE BEEN PARKED THERE FOR MORE THAN 11 YEARS - WITHOUT NEED FOR ANY OTHER FACILITIES - EVERYTHING IS IN PLACE

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

THE PROPOSED ROAD - TEN FEET WIDE TO
THE BACK OF MY PROPERTY IS SUFFICIENT FOR
INGRESS + EGRESS AND WILL NOT CAUSE AN
INCREASE IN TRAFFIC OR CONGESTION

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

THE SPECIAL USE WILL CONFORM AS
MY LANDSCAPING BUSINESS HAS FIT NICELY
INTO THE AREA FOR THE LAST 11 YEARS

SPECIAL USE
35W 211 LATHROP
WEST DUNDEE, IL 60118

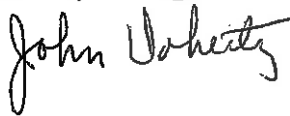
THE PETITIONER JOSE C. RAMIREZ IS THE OWNER OF A LANDSCAPING BUSINESS WHO HAS LIVED AND WORKED AT THE ABOVE ADDRESS FOR MORE THAN 11 YEARS SINCE HE PURCHASED THE PROPERTY. HE IS REQUESTING TO MAKE NO MAJOR PHYSICAL CHANGES. HE IS REQUESTING TO FORMALIZE DRIVEWAY AND PARKING AREAS COVERING LESS THAN 2 ACRES FOR INGRESS, EGRESS, AND PARKING OF HIS VEHICLES AT THE BACK OF HIS PROPERTY - BASICALLY FORMALIZING A CONDITION THAT HAS EXISTED FOR THE PAST 11 YEARS.

**SPECIAL USE
35W211 LATHROP
WEST DUNDEE, IL 60118**

The Petitioner Jose C. Ramirez is the owner of a tree business, who has lived and worked at the above address for more than 11 years since he purchased the property. He is requesting to make no major physical changes. He is requesting to formalize driveway and parking areas covering less than 2 acres for ingress, egress, and parking of his vehicles at the back of his property – basically formalizing a condition that has existed for the past 11 years. This request for a special use would be for a period of up to five years. Petitioner has 3 full time and 1 part time employees.

Additionally, business is in operation, starting March or April, depending on the weather, and concluding some time in November, depending on the weather. At either end of the seasons, business is in operation 2-4 days a week depending on demand and the weather. During peak part of season, May through first part of October, business can operate 6 days a week from 8:00 a.m. – 6:00 p.m. But 90% of that work time is spent on the work location – away from this site of 35W211 Lathrop.

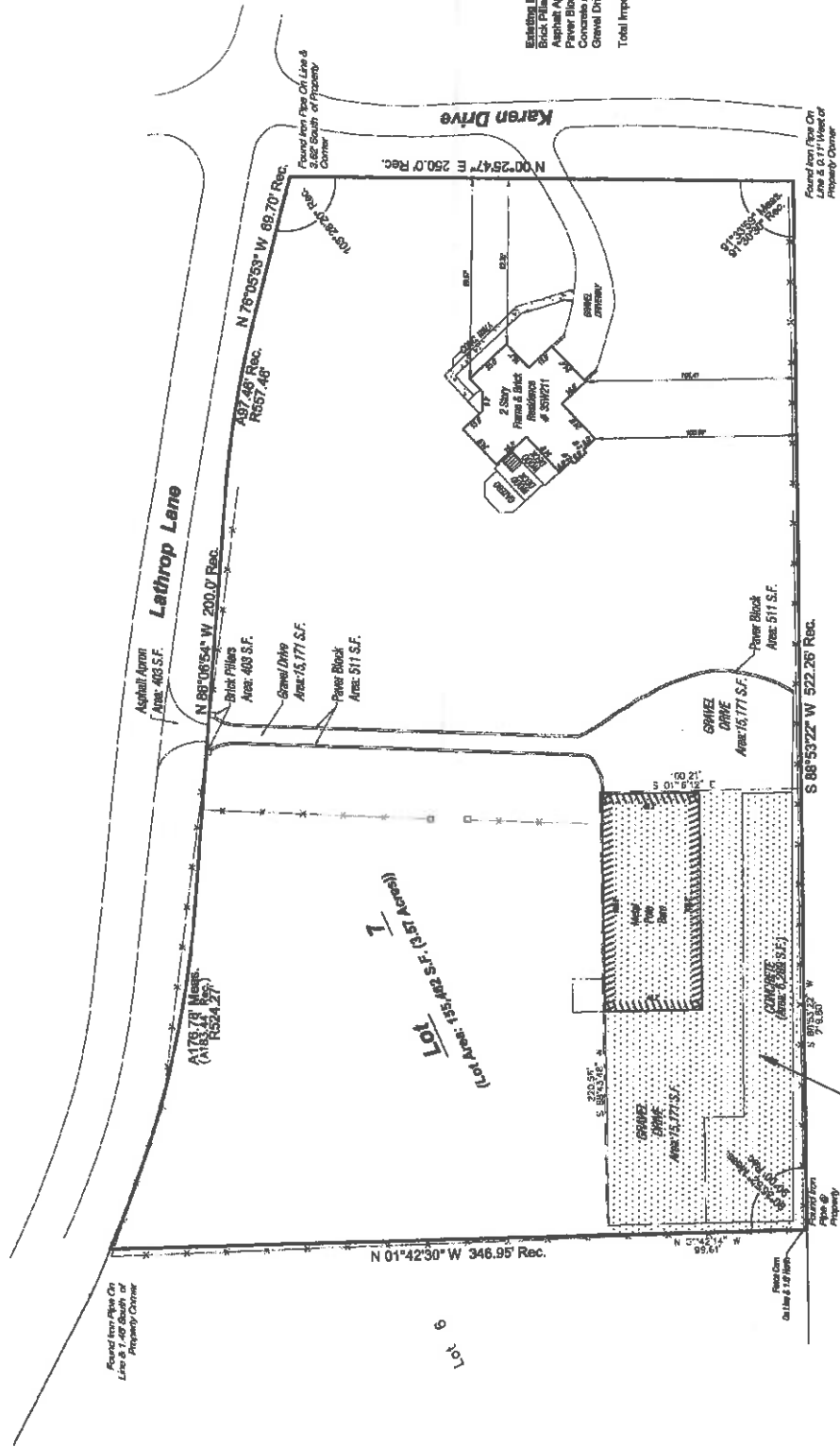
John Doherty
Attorney and Agent for Jose Ramirez



Plat of Survey

LEGAL DESCRIPTION: LOT 7 IN GRASSLAND ACRES, IN THE TOWNSHIP OF DUNDEE, KANE COUNTY, ILLINOIS.

PIN: 03-04-451-003

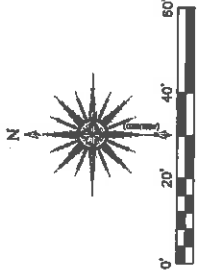


Existing Drive Impervious Area (Residential)	403 S.F.
Brick Pillar	403 S.F.
Asphalt Approach Area	811 S.F.
Power Block Area	6,289 S.F.
Gravel Drive Area	15,171 S.F.
Total Impervious Area	22,986 S.F.

LEGEND	
[Symbol]	Impervious Area
[Symbol]	Gravel Drive
[Symbol]	Gravel Apron
[Symbol]	Power Block
[Symbol]	Brick Pillar
[Symbol]	Asphalt Approach
[Symbol]	Gravel Drive
[Symbol]	Gravel Apron
[Symbol]	Power Block
[Symbol]	Brick Pillar
[Symbol]	Asphalt Approach

Luco Construction Company
 Professional Design Firm No. 18400428
 14 Lee Avenue
 Chicago, IL 60610
 email: luco@luco.com

Common Address: 3596211 Lathrop Lane, West Dundee, IL
 Job Number: 17 - 44800 Drawn By: JAC
 Client: Deberry
 Date of Field Work Completion: 10/2/2017
 Revisions:



LEGAL DESCRIPTION OF PROPOSED SPECIAL USE PERMIT AREA (INDICATED BY SHADED AREA) THAT PART OF LOT 7 IN GRASSLAND ACRES DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL; THENCE S89°42'47"W FOR A DISTANCE OF 98.91'; THENCE S89°43'48"W FOR A DISTANCE OF 220.59'; THENCE S89°43'48"W FOR A DISTANCE OF 180.21'; THENCE S89°53'22"W FOR A DISTANCE OF 210.87' BACK TO THE PLACE OF BEGINNING, IN THE TOWNSHIP OF DUNDEE, KANE COUNTY, ILLINOIS



THIS DOCUMENT IS NOT VALID WITHOUT THE SURVEYOR'S SEAL.
 STATE OF ILLINOIS
 COUNTY OF MICHIGAN

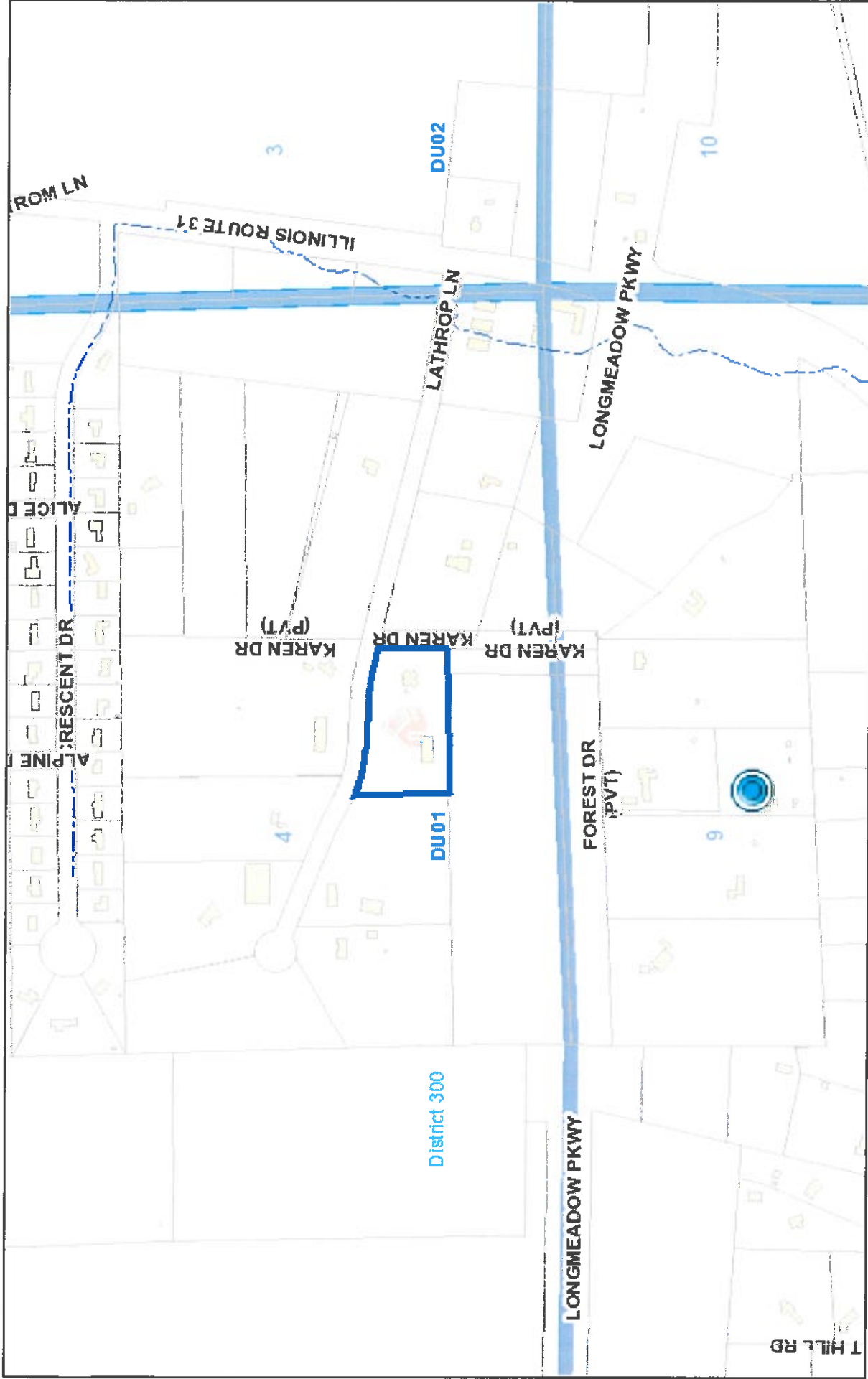
I, JERRY DEBERRY, I HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL SURVEYOR IN THE STATE OF ILLINOIS AND THAT THE PROFESSIONAL SERVICE CONTAINED ON THIS PLAT IS IN ACCORDANCE WITH THE CURRENT ILLINOIS SURVEYING STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 21st DAY OF JANUARY, A.D. 2018.

JERRY A. DEBERRY
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3085
 LICENSED AGENT FOR LUCO CONSTRUCTION COMPANY
 EXPIRES 12/31/2018

NOTICE: THE REPRESENTATIVE OF THIS PLAT HAS YOUR BEST INTERESTS AND SHOULD BE PROTECTED. INADVERTENTLY, THE SURVEYOR HAS NOT BEEN ADVISED OF ANY CHANGES TO THE PLAT. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY CHANGES TO THE PLAT. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY CHANGES TO THE PLAT.

Map Title



June 22, 2018

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.

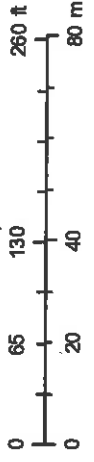
GIS-Technologies
Kane County Illinois

Map Title



June 22, 2018

1:1,485



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GIS-Technologies
Kane County Illinois

