

**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

**4537**

Received Date   <b>OCT 10 2019</b>  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.

<b>1. Property Information:</b>	Parcel Number (s):  05-22-200-025
	Street Address (or common location if no address is assigned):  10N862 MUIRHEAD RD

<b>2. Applicant Information:</b>	Name DANIEL R. FMSE Address 10N862 MUIRHEAD RD	Phone 847-528-1892 Fax 847-464-5495 Email DFCAMPING@ADL.COM
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<b>3. Owner of record information:</b>	Name DANIEL R. FMSE Address 10N862 MUIRHEAD RD	Phone 847-528-1892 Fax 847-464-5495 Email DFCAMPING@ADL.COM
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**Zoning and Use Information:**

2040 Plan Land Use Designation of the property: RURAL RESIDENTIAL

Current zoning of the property: E2A

Current use of the property: \_\_\_\_\_

Proposed zoning of the property: F DISTRICT FARMING w/5YR. 75U FOR BUSINESS

Proposed use of the property: PALLET/SHAVING BUSINESS/STORAGE/SNOWBLOW BUSINESS

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

RELOCATE PARKING AREA

ALL BUILDINGS ARE EXISTING HOME & BARN SINCE 1967

**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](http://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.

DANIEL R FMSE 10-10-19  
Record Owner Date

DANIEL R FMSE 10-10-19  
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.

DANA R. IMSE  
Name of Development/Applicant

10-10-19  
Date

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

PROPERTY IS LOCATED IN RURAL AREA WITH SURROUNDING PROPERTY USED FOR FARMING + AGRICULTURE.

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

RURAL RESIDENTIAL, COUNTRYSIDE/ESTATE RESIDENTIAL, EXISTING OPEN SPACE

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

SUITABILITY OF PROPERTY IS GOOD IN CURRENT CONDITION BUT IS NOT ZONED CORRECTLY FOR WANTED USE.

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

TREND IN THE AREA IS RURAL FARMING + AGRICULTURE, WITH COUNTRY ESTATES.

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

PROJECTED USE OF PROPERTY FITS INTO 2040 LAND USE PLAN AS PLAN CALLS FOR RURAL RESIDENTIAL AND AGRICULTURE USE.

# Findings of Fact Sheet – Special Use

Special Use Request

10-10-19  
Date

- 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.

PROPOSED USE OF PROPERTY WILL NOT EFFECT ANY OF THE ABOVE BECAUSE ALL LOCAL - CITY ORDINANCES WILL BE FOLLOWED. NO HAZARDOUS CHEMICALS WILL BE USED. NO MANUFACTURING WILL TAKE PLACE. PROPERTY WILL BE USED FOR BASIC FARMING + MAINTENANCE OF EQUIPMENT. ALL BUILDINGS + INFRASTRUCTURE HAVE BEEN IN PLACE FOR YEARS.

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

PROPERTY WILL BE USED FOR SIMILAR PURPOSES AS SURROUNDING PROPERTY. THE EXPANSION OF THE PARKING LOT WILL BE IN MIDDLE OF PROPERTY AND WILL NOT BE CLOSE TO PROPERTY LINES. USE WILL BE NO DIFFERENT THAN ACTIVE FARMING OR RURAL LAND USE. NO ADDITIONAL BUILDINGS WILL BE ADDED.

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

NO PERMANENT STRUCTURE OR STORAGE OF ANY KIND WILL TAKE PLACE WITHIN 50' OF LOT LINES. NO NEW STRUCTURES WILL BE BUILT AT THIS TIME. ALL BUILDINGS AND ENTRANCES ARE ALREADY BUILT ON PROPERTY AND HAVE BEEN IN PLACE FOR MANY YEARS.

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

YES. THIS IS EXISTING ON PROPERTY. OTHER THAN THE EXPANSION OF PARKING LOT NO CHANGES ARE PLANNED FOR LAY OUT OF PROPERTY. PROPERTY CONTAINS ONE HOSE AND 2 BARRIS THAT ARE EXISTING ON PROPERTY.

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

N/A. PROPOSED USE OF PROPERTY WILL NOT INCREASE TRAFFIC. ALL BUILDINGS + EXISTING ENTRY WAYS WILL STAY THE SAME. NO ADDITIONAL TRAFFIC WILL OCCUR.

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

YES. ALL LOCAL CODES + ORDINANCES WILL BE FOLLOWED. NO SPECIAL NEEDS OR USES WILL BE NEEDED.

January 8, 2020

Daniel Imse

Rezoning a portion of property from E2-A District Estate Residential and E-1 District Estate Residential to F-District Farming with a five year Interim Special Use for a wood processing and snowplowing business

**Special Information:** The petitioner has been operating a wood processing and snowplowing business on the property in violation of the Zoning Ordinance. Since Interim Special Uses are not permitted in the Estate districts, the petitioner is seeking a rezoning of the central portion of the property to F-District Farming on which the Interim Special Use would be located. If approved, any business operations outside of the approved Interim Special Use area would be a violation.

**Analysis:** The Kane County 2040 Land Resource Management Plan designates this area as Rural Residential. This designation encourages an infill strategy between and adjacent to existing rural residential developments where prime agricultural lands will not be taken out of production.

**Staff recommended stipulation:**

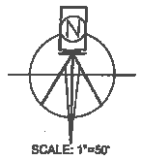
1. The petitioner shall dedicate a 60 foot half right of way from the centerline of Muirhead Road to Plato Township

**Staff recommended Findings of Fact:**

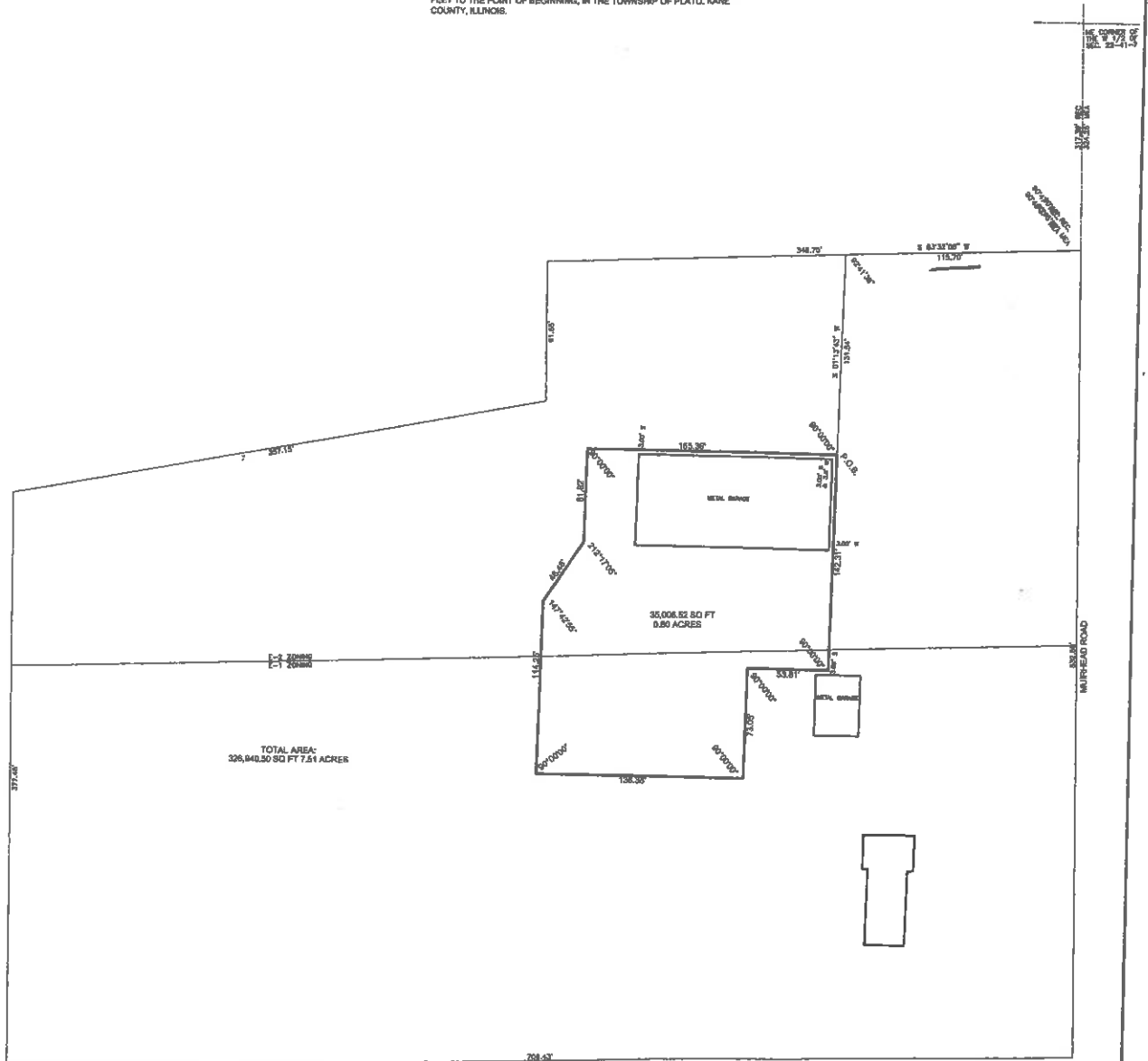
1. The rezoning and Interim Special Use will bring the businesses into conformance with the Zoning Ordinance.

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

**PLAT OF SURVEY**  
**D.F.L.S.**  
**DALE FLOYD LAND SURVEYING L.L.C.**  
 2600 KESLINGER ROAD SUITE A  
 GENEVA, ILLINOIS 60134  
 PHONE: 630-232-7703 FAX: 630-232-7725  
 E-MAIL: DFLS@SBCGLOBAL.NET



THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID WEST HALF; THENCE SOUTH ALONG THE EAST LINE OF SAID WEST HALF; 517.30 FEET AS PER SURVEY BY HOWARD MEADOWS DATED FEBRUARY 2, 1872 (324.20 FEET MEASURED); THENCE WESTERLY, PER SAID SURVEY, ALONG A LINE THAT FORMS AN ANGLE OF 90 DEGREES 47 MINUTES AS MEASURED FROM NORTH TO WEST WITH LAST DESCRIBED COURSE 106.70 FEET; THENCE SOUTHERLY ALONG A LINE THAT FORMS AN ANGLE TO THE RIGHT 62 DEGREES, 41 MINUTES, 38 SECONDS, 131.54 FEET FOR THE POINT OF BEGINNING; THENCE WESTERLY 90 DEGREES FROM THE LAST COURSE, 165.38 FEET; THENCE SOUTHERLY 90 DEGREES 61.82 FEET, THENCE SOUTHWESTERLY ALONG A LINE THAT FORMS AN ANGLE OF 212 DEGREES, 17 MINUTES, 56 SECONDS 48.48 FEET; THENCE SOUTHERLY ALONG A LINE THAT FORMS AN ANGLE OF 147 DEGREES 42 MINUTES, 55 SECONDS, 114.25 FEET; THENCE EASTERLY 90 DEGREES FROM THE LAST COURSE, 136.36 FEET; THENCE NORTHERLY FROM THE LAST COURSE, 73.05 FEET; THENCE EASTERLY 90 DEGREES FROM THE LAST COURSE, 53.81 FEET; THENCE NORTHERLY 90 DEGREES FROM THE LAST COURSE, 142.31 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF PLATO, KANE COUNTY, ILLINOIS.



TOTAL AREA:  
 326,840.30 SQ FT 7.51 ACRES

- LEGEND**
- FND.I.R. = FOUND IRON ROD
  - FND.I.P. = FOUND IRON PIPE
  - FENCE
  - BLDG. TIE
  - BLDG. LINE
  - EASEMENT

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

COMPARE ALL POINTS BEFORE BUILDING BY THE SAME AND AT ONCE REPORT ANY DIFFERENCE.

JOB NO. 609-16 ZONING



STATE OF ILLINOIS  
 COUNTY OF KANE  
 WE, DALE FLOYD LAND SURVEYING L.L.C., A PROFESSIONAL DESIGN FIRM, LICENSE NO. 184-007094 DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED IN THE MANNER REPRESENTED ON THE PLAT HEREBON DRAWN.

DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

GENEVA, ILLINOIS 12-6 A.D. 2019

*Daniel Umse*  
 ILLINOIS PROFESSIONAL LAND SURVEYOR  
 NO. 035-09808

License expiration date 11-30-2020

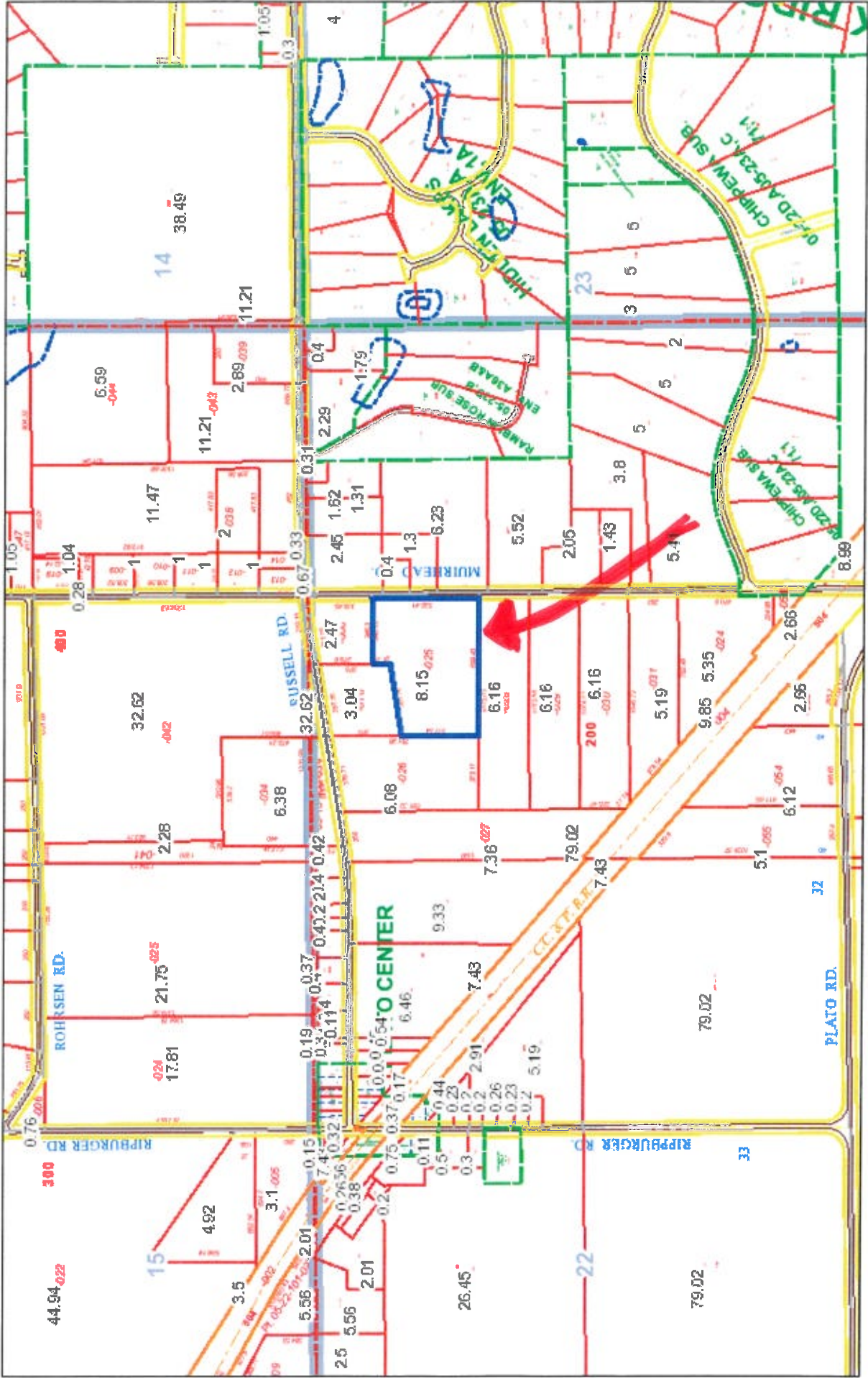
FIELD WORK COMPLETED: 12-6-2019

PREPARED FOR: DANIEL UMSE



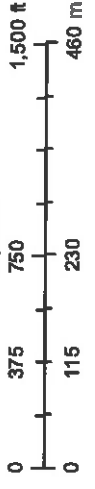


# Map Title



December 13, 2019

1:8,158



GIS-Technologies

These layers do not represent a survey. No Accuracy is assumed for the data delineated here, 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

## Berkhout, Keith

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**From:** McGraw, Keith  
**Sent:** Monday, December 16, 2019 10:55 AM  
**To:** Berkhout, Keith  
**Cc:** Rickert, Tom; Nika, Kurt  
**Subject:** RE: Zoning petition for review - Imse  
**Attachments:** 2019-06-24 staff notes.pdf

Keith,

In response to the attached request for zoning F to E2A with Interim Special Use, KDOT has the following STIPULATION:

- The petitioner shall dedicate a 60 foot half right of way from the centerline of Muirhead Road to Plato Township.

If you have any questions, don't hesitate to reach out.

Thank you,

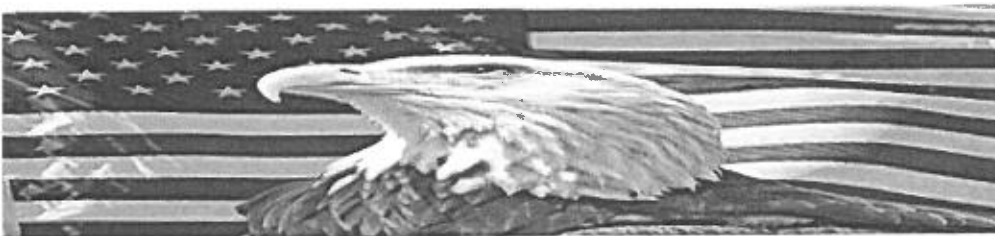
**Keith McGraw**  
Kane County Division of Transportation – Permitting Section

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**From:** Berkhout, Keith <BerkhoutKeith@co.kane.il.us>  
**Sent:** Friday, December 13, 2019 12:04 PM  
**To:** Schoedel, Carl <schoedelcarl@co.kane.il.us>  
**Cc:** Rickert, Tom <rickerttom@co.kane.il.us>; McGraw, Keith <McGrawKeith@co.kane.il.us>; Nika, Kurt <nikakurt@co.kane.il.us>  
**Subject:** Zoning petition for review - Imse

**Keith T. Berkhout**  
Zoning Planner

Kane County Department of Development and Community Services  
719 S. Batavia Avenue  
Geneva, Illinois 60134  
630-232-3495  
[berkhoutkeith@co.kane.il.us](mailto:berkhoutkeith@co.kane.il.us)



## Berkhout, Keith

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**From:** Rauscher, Erin  
**Sent:** Friday, December 13, 2019 12:13 PM  
**To:** Berkhout, Keith  
**Subject:** RE: Zoning petition for review - Imse

Health department has no issue/comments.

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**From:** Berkhout, Keith <BerkhoutKeith@co.kane.il.us>  
**Sent:** Friday, December 13, 2019 12:06 PM  
**To:** VanKerkhoff, Mark <vankerkhoffmark@co.kane.il.us>  
**Cc:** Aamir, Hira <AamirHira@co.kane.il.us>; Wilford, Anne <WilfordAnne@co.kane.il.us>; Rauscher, Erin <RauscherErin@co.kane.il.us>  
**Subject:** Zoning petition for review - Imse

**Keith T. Berkhout**  
Zoning Planner

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