

**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

**4544**

*Received Date*  
  
 JAN 27 2020  
 Kane County Development Department

**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>	<b>Parcel Number (s):</b>  13-18-300-001 / 13-18-100-002
	<b>Street Address (or common location if no address is assigned):</b>  SOUTH OF 9634 COUNTY LINE RD.

<b>2. Applicant Information:</b>	<b>Name</b> PAUL HEYER	<b>Phone</b> 847/436-2000
	<b>Address</b> 334 FLORENCE AVE.	<b>Fax</b>
	EVANSTON, IL 60202	<b>Email</b> wodman@comcast.net

<b>3. Owner of record information:</b>	<b>Name</b> EDWARD AND JANE HEYER	<b>Phone</b> 815/286-3074
	<b>Address</b> 9634 COUNTY LINE RD.	<b>Fax</b>
	HINCKLEY, IL 60520	<b>Email</b> edheyer@hotmail.com

**Zoning and Use Information:**

2040 Plan Land Use Designation of the property: AGRICULTURE

Current zoning of the property: F

Current use of the property: AGRICULTURE / RECREATIONAL

Proposed zoning of the property: F-1

Proposed use of the property: AGRICULTURE / RECREATIONAL AND RESIDENCE

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

RESIDENCE

**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.

Edwin Heyer      Jim Heyer      1/25/20  
Record Owner      Date

[Signature]      1/25/20  
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.*

PAUL HEYER

Name of Development/Applicant

Date

1/27/20

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

The proposed use will be the same as the current use. Parcel 13-18-300-001 is build-able as of right.

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

F

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

The proposed use will be the same as the current use in that a house is currently allowed on parcel 13-18-300-001. As presently configured, a house could be built across the creek, making it difficult to access by emergency vehicles. The proposed reconfigured lot would allow for better access and facilitate better siting of a house in the environment.

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

There is very little development in the area which remains largely farm land.

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

The projected use of the property is consistent with the Kane County 2040 Land Use Plan since the projected use is currently permitted as of right.

February 26, 2020

Edward Heyer, et al  
Rezoning from F-District Farming to F-1 District Rural Residential

**Special Information:** The petitioner's farm has been in the family for five generations. The petitioner is seeking a rezoning to allow a new home to be constructed on the southern portion of the farm. This would help keep the farm in the family and allow him to be closer to his parents.

**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.

**Staff recommended Findings of Fact:**

1. The rezoning will allow a new home to be constructed on the property.

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

Paul Heyer  
334 Florence Ave.  
Evanston, IL 60202  
847-436-2000  
[wogman@comcast.net](mailto:wogman@comcast.net)  
January 27, 2020

Kane County Development Department  
Zoning Division, Kane County Government Center  
719 S. Batavia Ave.  
Geneva, Illinois 60134

Dear members of the zoning board of appeals,

We would like to build a small house on the farm property that has been in the Heyer family going on five generations, to be closer to my parents who are in their nineties. The property is subdivided into three parcels. The southern parcel against the south property line is buildable as of right. A house could be built there but would be close to the adjacent property or could even be built across the creek making it difficult to access by emergency vehicles and utilities.

This request is to reconfigure the south and adjacent parcels so the south parcel (13-18-300-001) is squarer in shape and wider along County Line Road which would allow for greater flexibility in siting a house and reduce the overall environmental impact. This would also make it better suited for access by emergency vehicles and utilities.

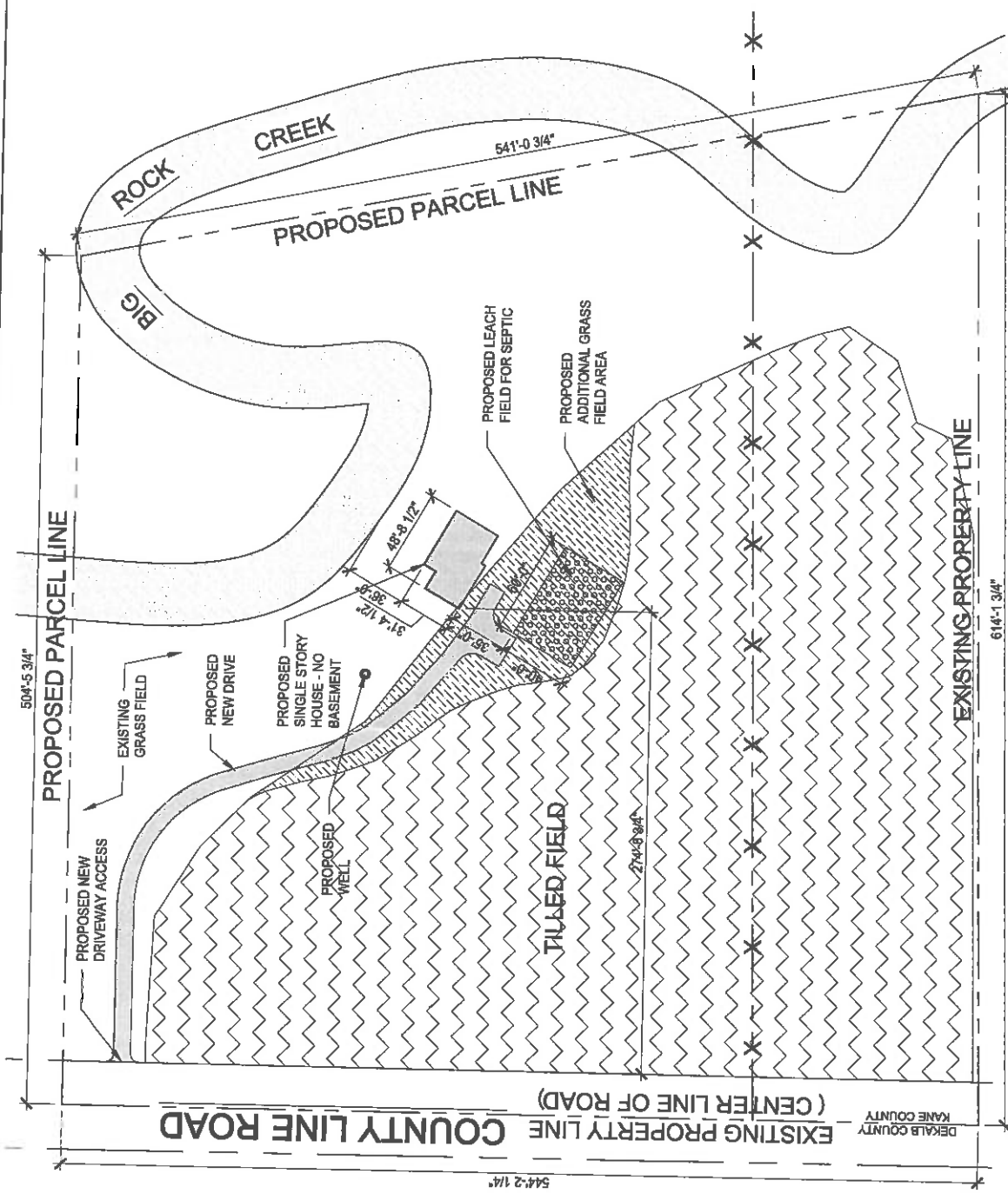
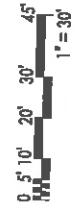
This is not a development project. We are not attempting to reconfigure the parcel to make money. This is simply to change the shape of an existing parcel to allow a house to be farther away from the adjacent property and improve the siting.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'PH', with a long horizontal flourish extending to the right.

Paul Heyer



LEGEND	
	PROPERTY LINE
	PARCEL LINE TO BE REVISED
	PROPOSED STRUCTURE
	PROPOSED DRIVEWAY
	PROPOSED LEACH FIELD
	PROPOSED WELL
	CREEK
	TILLED FIELD
	PROPOSED NEW GRASS AREA

NOTE: ELEVATION OF FIRST FLOOR OF PROPOSED NEW HOUSE IS APPROXIMATELY 18' ABOVE AVERAGE WATER LEVEL OF CREEK AND 13' ABOVE MAX. FLOOD LEVEL OBSERVED IN 50 YEARS

**PROPOSED LOT RECONFIGURATION**  
2020-01-27

**HEYER RESIDENCE**

**9634 COUNTY LINE ROAD**

**1 SITE PLAN**  
Scale: 1" = 30'

614'-1 3/4"

504'-5 3/4"

544'-2 1/4"

541'-0 3/4"

274'-8 9/16"

31'-4 1/2"

30'-0"

48'-8 1/2"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

36'-0"

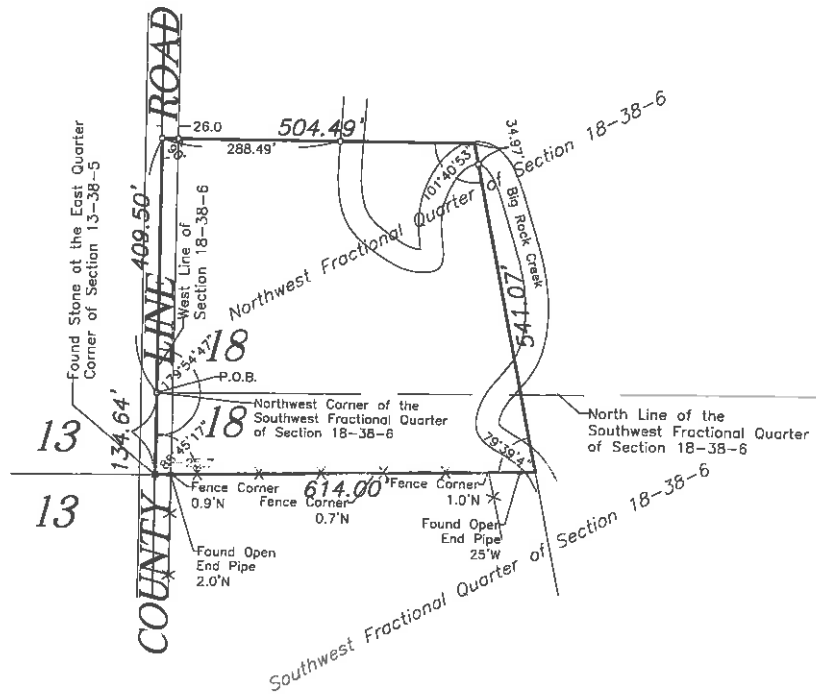
36'-0"

36'-0"

36'-0"

# PLAT AND CERTIFICATE OF SURVEY

THAT PART OF THE WEST HALF OF SECTION 18, TOWNSHIP 38 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 134.64 FEET (2.04 CHAINS); THENCE EASTERLY AT AN ANGLE OF 88° 45' 17" MEASURED CLOCKWISE FROM SAID WEST LINE, 614.00 FEET; THENCE NORTHERLY AT AN ANGLE OF 79° 39' 03" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 541.07 FEET; THENCE WESTERLY AT AN ANGLE OF 101° 40' 53" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 504.49 FEET TO A POINT ON THE WEST LINE OF SAID SECTION THAT IS 409.50 FEET NORTH OF THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG SAID WEST LINE 409.50 FEET TO THE POINT OF BEGINNING, ALL IN BIG ROCK TOWNSHIP, KANE COUNTY, ILLINOIS.



CONTAINS 6.90 ACRES

SCALE 1"=200'

==LEGEND==  
 - - - - - Boundary of property surveyed  
 • Indicates found survey marker  
 ○ Indicates set open end pipe  
 \* - \* - \* Indicates fence line

STATE OF ILLINOIS }  
 COUNTY OF DEKALB } SS

THIS IS TO CERTIFY THAT THE ATTACHED PLAT IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY I HAVE MADE OF PROPERTY HEREON SHOWN AND DESCRIBED. ALL DISTANCES SHOWN IN FEET AND DECIMALS THEREOF. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

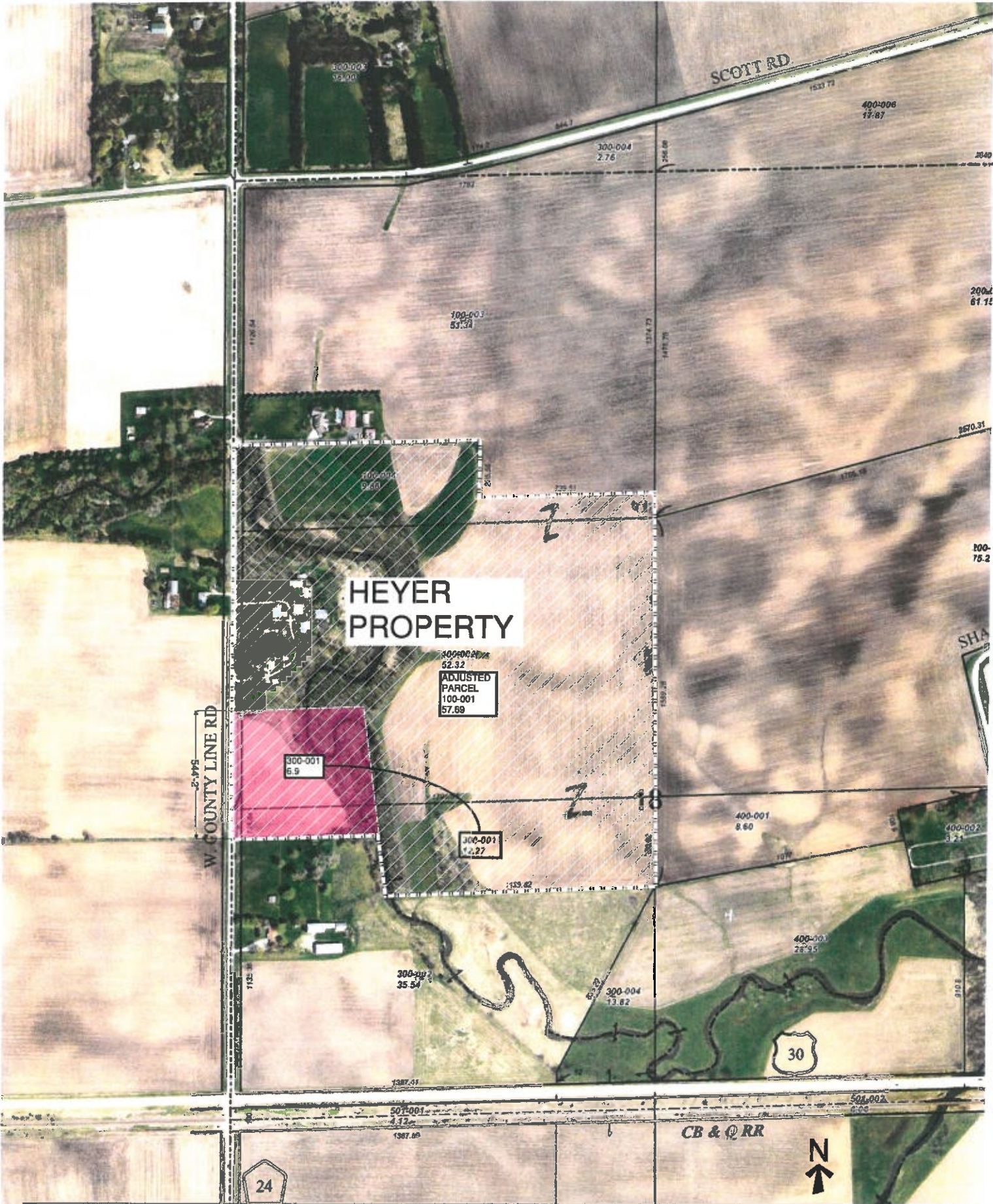
FIELD WORK COMPLETED OCTOBER 18TH, 2019, WITNESS MY HAND AND SEAL AT DEKALB, ILLINOIS THIS 17TH DAY OF OCTOBER, 2019.



FOR: PAUL HEYER  
 JOB NO. WES 15025

*Shawn R. Vankampen*  
 SHAWN R. VANKAMPEN  
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2710  
 LICENSE EXPIRATION DATE: NOVEMBER 30TH, 2020

Prepared by:  
 W.E. Hanna Surveyors  
 508 Pine Street  
 DeKalb, Illinois 60115  
 (815) 756-2189  
 Fax 748-2532  
 info@hannasurveyors.com  
 License # 184007413

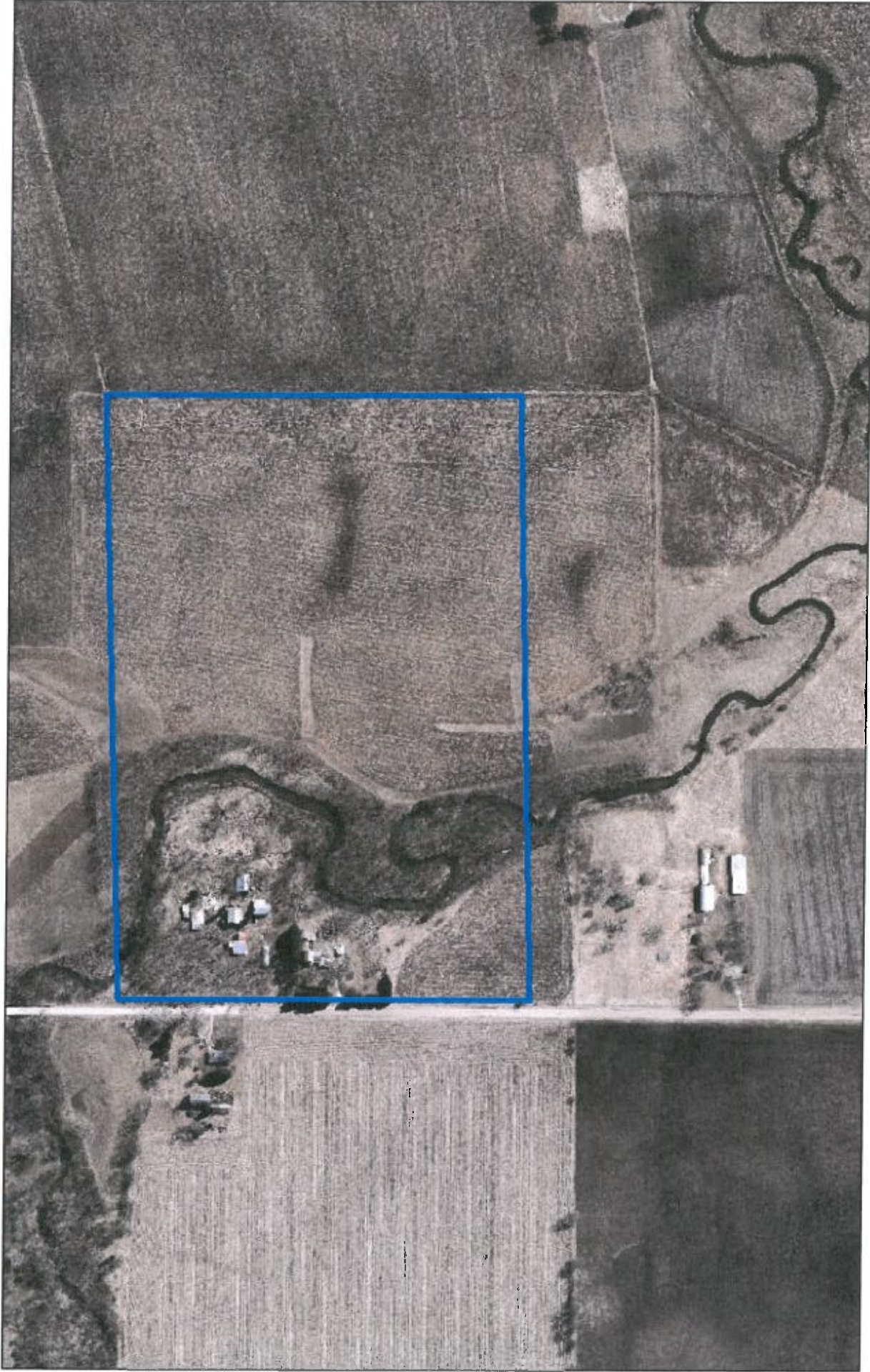


HEYER PROPERTY - BIG ROCK TOWNSHIP  
 EXHIBIT B - PROPOSED PARCEL 13-18-300-001

01-27-2020

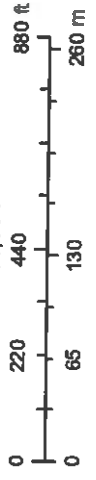


# Map Title



January 31, 2020

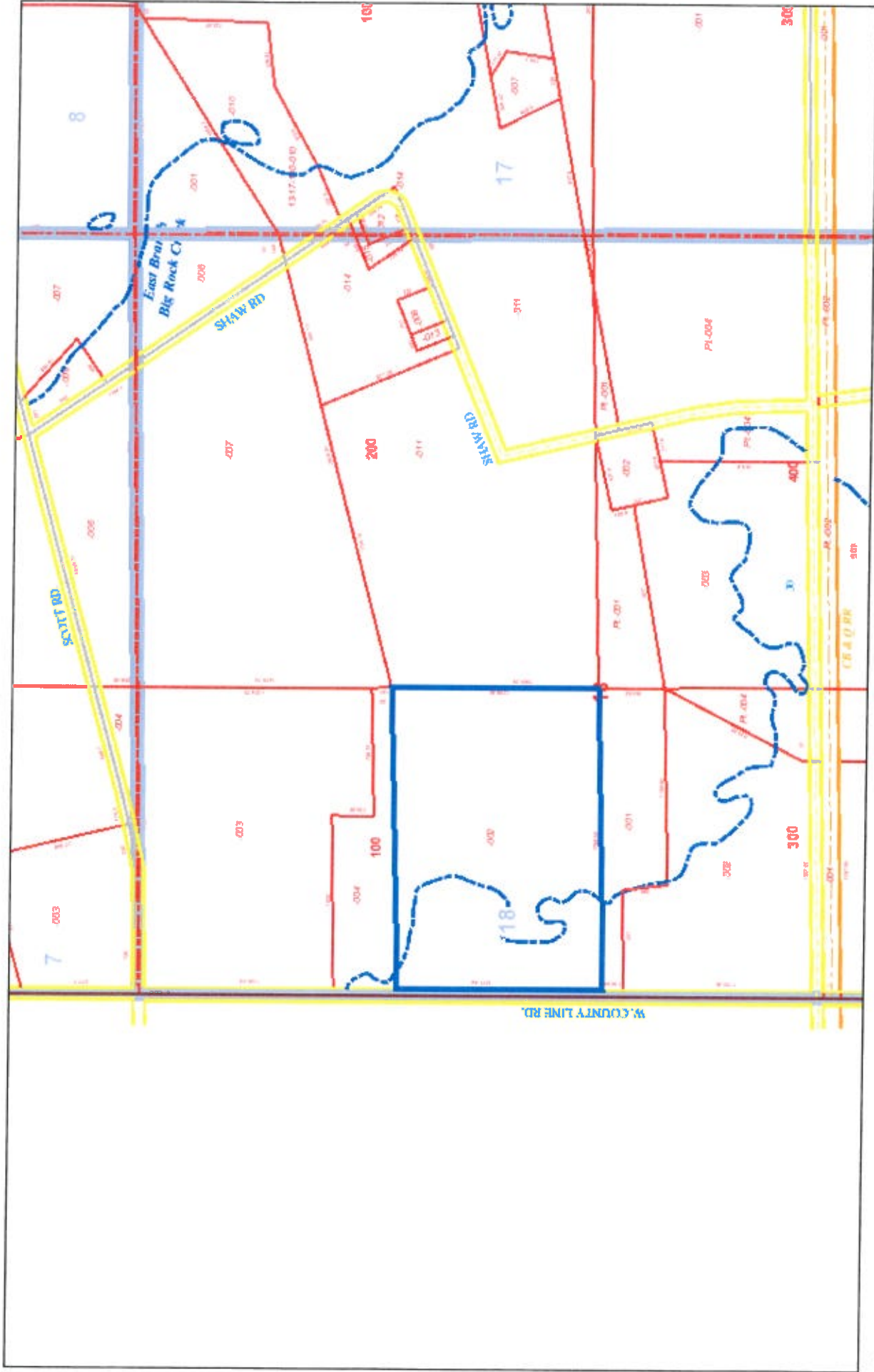
1:4,777



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.

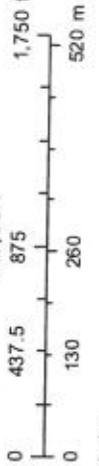
GIS-Technologies  
Kane County Illinois

# Map Title



January 31, 2020

1:9,554



GIS-Technologies

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 contain information required for local government purposes. See the recorded documents for more detailed legal information.

GIS-Technologies  
Kane County Illinois