

KANE COUNTY DEVELOPMENT DEPARTMENT  
 Zoning Division, Kane County Government Center  
 719 Batavia Avenue  
 Geneva, Illinois 60134  
 Office (630) 232-3492 Fax: (630) 232-3411

Received Date
D2-204-0003

## ZONING MAP AMENDMENT APPLICATION

**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> 07-12-300-001 PART S 1/2 of SE 1/4 SECTION 12 (156 AC.) 07-13-100-001 PART N 1/2 of NW 1/4 SECTION 13 (8.6 AC.)
	<b>Street Address (or common location if no address is assigned):</b>  45W 700 IC TRAIL, MAPLE PARK, IL 60151

<b>2. Applicant Information:</b>	<b>Name</b> CRAIG & ELLEN EDEN	<b>Phone</b> HOME (618) 888-2408 CELL (618) 520-9399
	<b>Address</b> 5447 SELLER ROAD	<b>Fax</b>
	DORSEY ILLINOIS 62021	<b>Email</b> eceden@MADISONTELCO.COM

<b>3. Owner of (i) record information:</b>	<b>Name</b> ELLEN (JOHNSON) EDEN CRAIG EDEN	<b>Phone</b> HOME (618) 888-2408 CELL (618) 520-9399
	<b>Address</b> 5447 SELLER ROAD	<b>Fax</b>
	DORSEY ILLINOIS 62021	<b>Email</b> eceden@MADISONTELCO.COM

- (2) ROSS J. JOHNSON cell phone (813) 760-2732  
 12409 ASHVILLE DR,  
 TAMPA, FL 33626
- (3) PAUL A. JOHNSON cell phone (970) 768-6681  
 14109 ROAD 16  
 FORT MORGAN CO 80701

**Zoning and Use Information:**

2030 Plan Land Use Designation of the property: AGRICULTURE

Current zoning of the property: FARMING (F)

Current use of the property: AGRICULTURE

Proposed zoning of the property: (F-1) RESIDENTIAL

Proposed use of the property: RESIDENTIAL

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](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 [www.dnr.state.il.us/orep/nrrc/aar.htm](http://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.

<u>Craig J. Eden</u>	<u>Ellen Eden</u>
<u>2/1/14</u>	<u>2-1-14</u>
Record Owner	Date

<u>CRAIG E ELLEN EDEN</u>	<u>2/1/14</u>
Applicant or <del>Authorized Agent</del>	Date

# Findings of Fact Sheet – Rezoning

- 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.

CRAIG & ELLEN EDEN  
Name of Development/Applicant

FEB. 1, 2014  
Date

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

THE SUBJECT PARCEL WILL CHANGE FROM F TO F-1 CLASS.  
NO CHANGE IS CONTEMPLATED

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

AGRICULTURE

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

THE SUBJECT PARCEL IS PRESENTLY PART OF A <sup>164</sup>~~153~~ ACRE FARM  
THE SUBJECT PARCEL IS APPROXIMATE 5.36 ACRE WITH A HOUSE,  
GARAGE, BARN AND MACHINE SHEDS. NO CHANGES ARE  
CONTEMPLATED

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

THE GENERAL AREA IS EXPECTED TO REMAIN IN  
AGRICULTURE INDEFINITELY.

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

THE AREA IS AGRICULTURAL AND THE RESIDENCE  
HAS BEEN THERE MORE THAN 75 YEARS. IT DOES  
NOT ADVERSELY AFFECT THE PLAN

WES 12795 - CRAIG EDEN

*DESCRIPTION OF PROPERTY SURVEYED:*

*THAT PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 12 AND PART OF THE NORTHWEST QUARTER OF SECTION 13, ALL IN TOWNSHIP 40 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE WESTERLY, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, 783.74 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY, AT AN ANGLE OF  $101^{\circ}59'27''$ , MEASURED CLOCKWISE FROM SAID NORTH LINE, 396.33 FEET TO THE CENTER LINE OF I.C. TRAIL; THENCE NORTHWESTERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, ALONG SAID CENTER LINE, 471.00 FEET; THENCE NORTHEASTERLY, AT RIGHT ANGLE TO SAID CENTER LINE, 496.00 FEET; THENCE SOUTHEASTERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, PARALLEL WITH SAID CENTER LINE, 471.00 FEET; THENCE SOUTHERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, 99.67 FEET TO THE POINT OF BEGINNING, ALL IN VIRGIL TOWNSHIP, KANE COUNTY, ILLINOIS.*



Rural house  
45W700 IC Trail Road/ 2,030 sqft



Garage  
528 sqft



Machine shed  
3,840 sqft



Cattle shed  
4,464 sqft



Pole building  
1,440 sqft



Pole building  
3,680 sqft



**Zoning Request Report**  
County of Kane

Kane County Development  
719 Batavia Ave  
Geneva, IL 60134  
Phone: (630) 232-3492  
Fax: (630) 232-3411

TO: Kane County Zoning Board Of Appeals  
Kane County Development Committee  
County Board Member District  
Janice Hill                  Carl Scheodel                  Mark VanKerkhoff                  Monica Meyers  
Petitioner

**PETITION NUMBER** 2014-4315 **Date** 04/21/2014

**GENERAL INFORMATION**

APPLICANT:	EDEN, CRAIG L & ELLEN L & ET AL	
	5447 SEILER RD	
	DORSEY	620211703
PURPOSE:	TO DIVIDE THE FARMSTEAD FROM THE FARMLAND	
EXISTING ZONING:	F - FARMING;	
REQUESTED ACTION:	F-1 - RURAL RESIDENTIAL;	
SIZE:	5.36 ACRES	
LOCATION:	NORTH SIDE OF IC TRAIL. 1/3 MILE EAST OF REED RD. SECTION 12, VIRGIL TOWNSHIP (45W700 IC TRAIL)	
SURROUNDING	ZONING	USE
NORTH	F - FARMING;	AGRICULTURAL;
SOUTH	F - FARMING;	AGRICULTURAL;
EAST	F - FARMING;	AGRICULTURAL;
WEST	F - FARMING;	AGRICULTURAL;
EXISTING LAND USE:	RESIDENTIAL;	
LAND USE PLAN DESIGNATION:	AGRICULTURE	
ZONING HISTORY:	NO PREVIOUS REQUEST FOR THIS SITE	
APPLICABLE LAND USE REGULATION:	ARTICLE VIII, SECTION 8.2 OF THE KANE COUNTY ZONING ORDINANCE	

April 21, 2014

Craig Eden, et ux  
Rezoning a portion of property from F to F-1

**Special Information:** This property is over 164 acres in size and has a home which, per the Virgil Township assessor office, was built in 1936. The petitioners seek to rezone 5.36 acres from F-District Farming to F-1 District Rural Residential. This area would encompass the home and several agricultural buildings. The petitioners seek this rezoning to allow them to sell off the farmette from the surrounding farmland and keep the residential use in conformance with the zoning ordinance.

**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.

**Recommendation:** The Kane County Technical Staff recommends approval of the rezoning request.

**Findings of Fact:**

1. The residential use will not intensify.
2. The rezoning will allow the farmette to be sold off separately from the surrounding farmland.

Attachments: Location Map  
Township Map

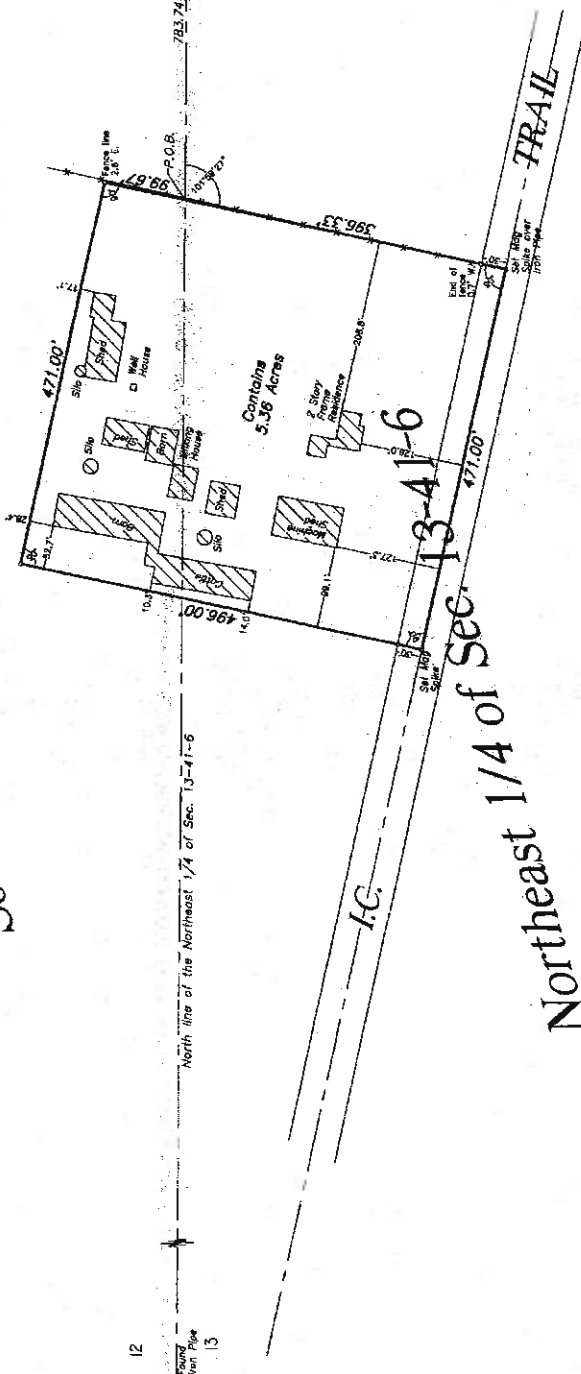
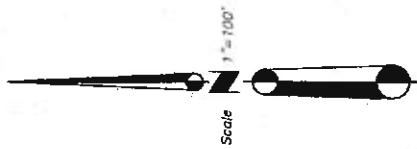
# PLAT AND CERTIFICATE OF SURVEY

## DESCRIPTION OF PROPERTY SURVEYED:

THAT PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 12 AND PART OF THE NORTHEAST QUARTER OF SECTION 13, ALL IN TOWNSHIP 40 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER, THENCE WESTERLY ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 783.74 FEET TO THE POINT OF BEGINNING; THENCE SOUTHWESTERLY, AT AN ANGLE OF 101°59'27", MEASURED CLOCKWISE, FROM SAID NORTH LINE, 396.33 FEET TO THE CENTER LINE OF I.C. TRAIL; THENCE NORTHWESTERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, ALONG SAID CENTER LINE, 471.00 FEET; THENCE NORTHEASTERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, 196.00 FEET; THENCE SOUTHWESTERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, 471.00 FEET; THENCE SOUTHWESTERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, 98.67 FEET TO THE POINT OF BEGINNING, ALL IN VIGEL TOWNSHIP, HANE COUNTY, ILLINOIS.

Southeast 1/4 of Sec. 12-41-6

Northeast 1/4 of Sec. 13-41-6



STATE OF ILLINOIS }  
COUNTY OF DEKALB }

THIS IS TO CERTIFY THAT THE ATTACHED PLAT IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY THAT HAS BEEN MADE OF PROPERTY HEREOF SHOWN AND DESCRIBED IN THE PLAT. ALL SECTIONS SHOWN IN FEET AND DECIMALS THEREOF. THIS PROFESSIONAL LAND SURVEYOR HAS COMPLIED WITH THE CURRENT ILLINOIS MINIMUM STANDARDS FOR BOUNDARY SURVEYS. FIELD WORK COMPLETED FEBRUARY 27TH, 2014. WITNESS MY HAND AND SEAL AT DEKALB, ILLINOIS THIS 4TH DAY OF MARCH, 2014.

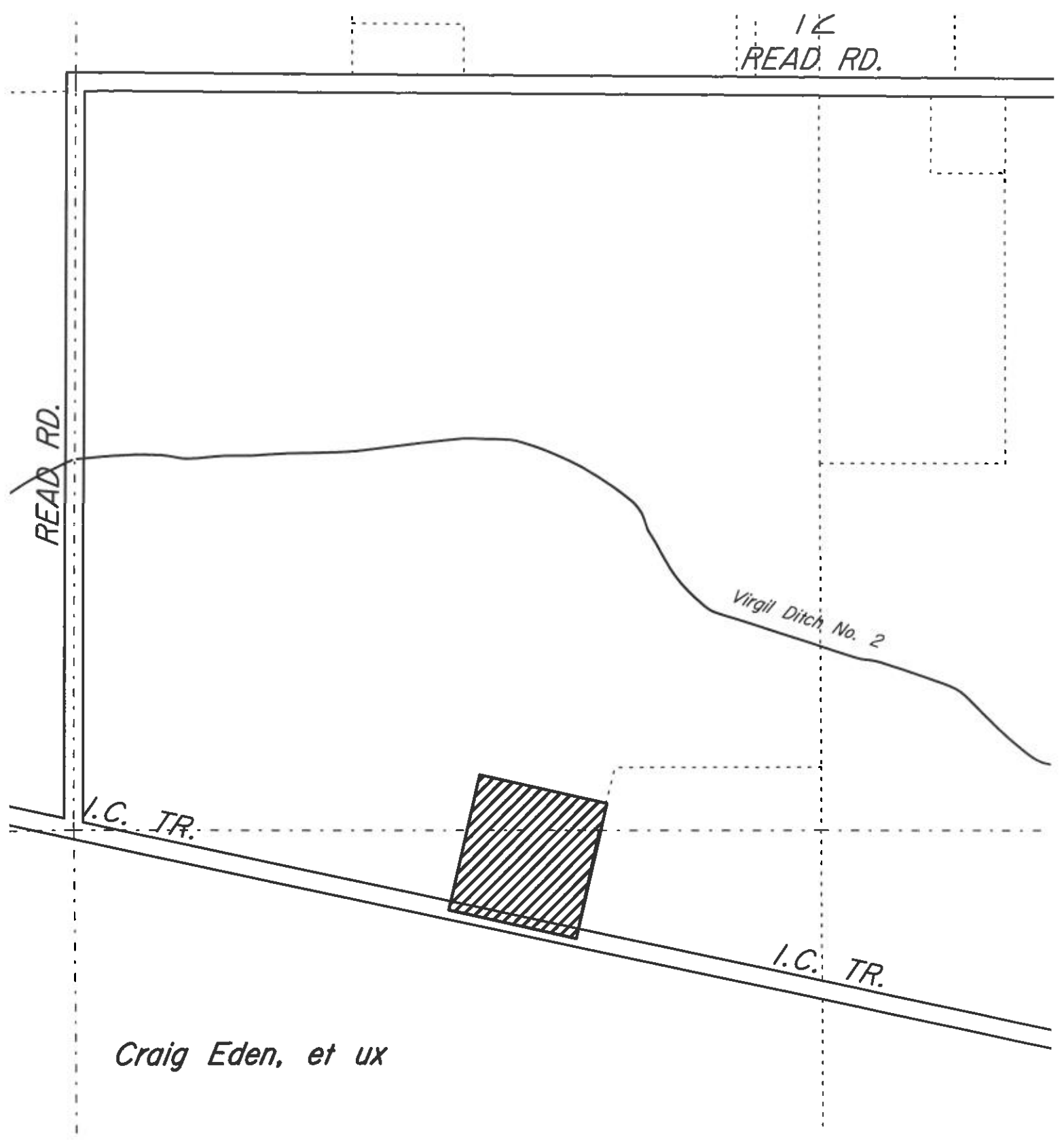
*Shawn R. Voikampen*  
SHAWN R. VOIKAMPEN  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2710  
LICENSE EXPIRATION DATE: NOVEMBER 30TH, 2014



Prepared by:  
William E. Hanna Surveyors  
License No. 1842807  
508 Pine Street  
DeKalb, Illinois 60115  
Tel: 748-2152  
Fax: 748-2153  
http://hannasurveyors.com

FOR: CRAIG EDEN  
JOB NO. WES 12795

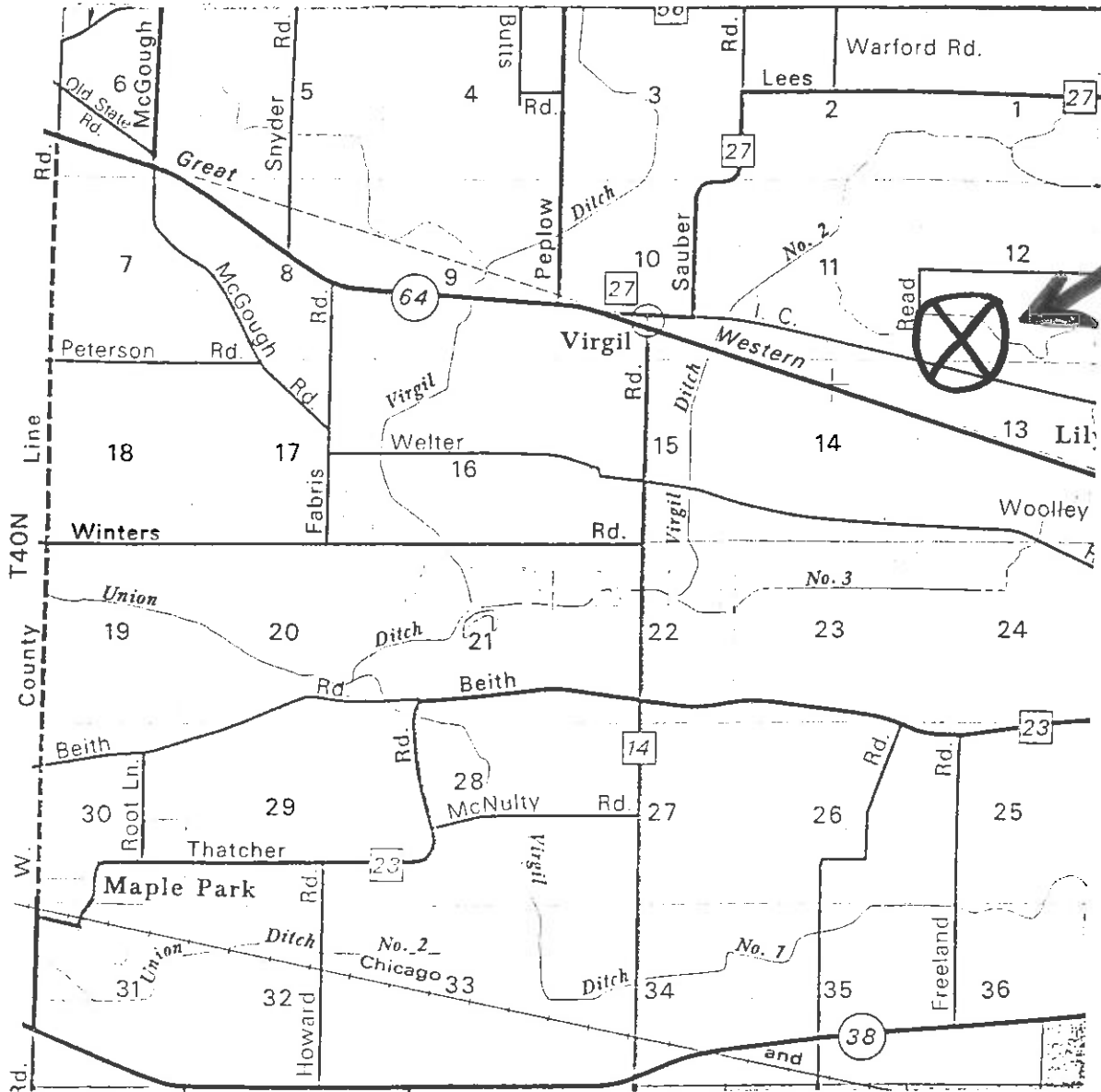




*Craig Eden, et ux*

VIRGIL twp.  
T.40N - R.6E

map 7



1-MILE

## Berkhout, Keith

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**From:** Wiegel, Julie  
**Sent:** Friday, January 31, 2014 12:38 PM  
**To:** Berkhout, Keith; Hajek, Scott  
**Cc:** Nika, Kurt; VanKerkhoff, Mark  
**Subject:** RE: Zonning Varances at 45W728 McDonald Road

Keith,

For 45W728 McDonald Rd, Hampshire

Tract #1:

Need to verify septic tank and field locations and sizing. (Some old farmsteads only have a septic tank).

Need to verify well location.

Otherwise should be fine. With the size of proposed new parcel it is likely that both the well and septic system are located on the property.

Tract #2:

The majority of the lot appears to be in hydric soils. There are some better soils in the higher areas toward the back of the parcel. A soil test for septic should be completed to verify there is a suitable area for a primary and secondary septic system.

For 45W700 I C Trail:

Need to verify septic tank and field locations and sizing. (Some old farmsteads only have a septic tank).

Need to verify well location.

Otherwise should be fine. With the size of proposed new parcel it is likely that both the well and septic system are located on the property.

Julie

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**From:** Berkhout, Keith  
**Sent:** Wednesday, January 29, 2014 3:50 PM  
**To:** Hajek, Scott  
**Cc:** Wiegel, Julie; Nika, Kurt; VanKerkhoff, Mark  
**Subject:** FW: Zonning Varances at 45W728 McDonald Road

To all,

I'm sending this out for your comments. This is from a nice, older couple from Dorsey, Illinois, 4-5 hours south of us. They are proposing to rezone 2 existing farmettes, which is fairly straightforward. Please send your comments, if any, by Wednesday, 2/5 and then Mark and I will call them back on their next step.

## Berkhout, Keith

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**From:** Nika, Kurt  
**Sent:** Thursday, January 30, 2014 10:44 AM  
**To:** Berkhout, Keith  
**Cc:** Wiegel, Julie; VanKerkhoff, Mark; Hajek, Scott  
**Subject:** RE: Zonning Varances at 45W728 McDonald Road

Keith,  
No negative transportation comments. Obviously, the proposed McDonald Road parcel would use the historic access. The Thomas Road parcel access would need to be strategically placed for sight distance, but it's workable. Though, with all the ADID wetlands and floodplain shown on this proposed parcel, I don't see how there is enough buildable space.

Kurt,

---

**From:** Berkhout, Keith  
**Sent:** Wednesday, January 29, 2014 3:50 PM  
**To:** Hajek, Scott  
**Cc:** Wiegel, Julie; Nika, Kurt; VanKerkhoff, Mark  
**Subject:** FW: Zonning Varances at 45W728 McDonald Road

To all,

I'm sending this out for your comments. This is from a nice, older couple from Dorsey, Illinois, 4-5 hours south of us. They are proposing to rezone 2 existing farmettes, which is fairly straightforward. Please send your comments, if any, by Wednesday, 2/5 and then Mark and I will call them back on their next step.

Thanks.

**Keith T. Berkhout**  
Zoning Planner  
Kane County Development and Community Services Department  
719 S. Batavia Avenue  
Geneva, Illinois 60134

630-232-3495 (Direct)  
630-232-3411 (Fax)  
[berkhoutkeith@co.kane.il.us](mailto:berkhoutkeith@co.kane.il.us)



## Berkhout, Keith

---

**From:** Nika, Kurt  
**Sent:** Wednesday, April 02, 2014 8:02 AM  
**To:** Berkhout, Keith  
**Subject:** RE: From Keith

Keith,

At both of these locations, I assume these are simple rezonings from F to F1 to accommodate the existing home sites? If so, there wouldn't be any special use involved and we would not be requesting a stipulation for ROW dedication. The surveys show ownership to the centerline of the roads and seem to imply that the existing ROW is prescriptive.

1. The first location (07-12-300-001 & 07-13-100-001) sizes the parcel at 5.36 acres. This would allow for future dedication of 33 feet from IC Trail centerline along the parcel's frontage (0.36 acres) and the parcel would still be 5.00 acres. That is good planning.
2. The second location (04-36-100-015) sizes the parcel at 5.01 acres. A future dedication of 33 feet from McDonald Road centerline along the parcels frontage would amount to 0.32 acres. So when this happens, the parcel would drop below 5.00 acres. The petitioner might consider bumping this up to avoid any future complications.

Kurt,

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**From:** Berkhout, Keith  
**Sent:** Tuesday, April 01, 2014 2:34 PM  
**To:** Nika, Kurt  
**Subject:** From Keith

The 2 parcels we discussed.  
keith

**From:** [GCDEVC03@co.kane.il.us](mailto:GCDEVC03@co.kane.il.us) [mailto:GCDEVC03@co.kane.il.us]  
**Sent:** Tuesday, April 01, 2014 2:32 PM  
**To:** Berkhout, Keith  
**Subject:** Message from GCDEVC03Q