



Zoning Request Report
County of Kane

Kane County Development
719 Batavia Ave
Geneva, IL 60134
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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 2015-4339 **Date** 01/27/2015

GENERAL INFORMATION

APPLICANT: LLSK FARMS LLC
LUKE PELTIER
40W675RT. 64
ST CHARLES 60175

PURPOSE: TO ESTABLISH A 3 YEAR INTERIM SPECIAL USE TO ALLOW A LANDSCAPING BUSINESS ON THE PROPERTY.

EXISTING ZONING: F-1 - RURAL RESIDENTIAL;

REQUESTED ACTION: F - FARMING WITH A 3 YEAR INTERIM SPECIAL USE FOR A LANDSCAPING BUSINESS

SIZE: 2.00 ACRES

LOCATION: SOUTH SIDE OF HUGHES RD., 1/2 MILE WEST OF BUNKER RD., SECTION 15, BLACKBERRY TOWNSHIP (41 W651 HUGHES RD.) (11-15-100-017)

SURROUNDING	ZONING	USE
NORTH	F - FARMING;	FOREST PRESERVE
SOUTH	F - FARMING;	AGRICULTURAL;
EAST	F - FARMING;	AGRICULTURAL;
WEST	F - FARMING;	AGRICULTURAL; RESIDENTIAL

EXISTING LAND USE: RESIDENTIAL;

LAND USE PLAN DESIGNATION: AGRICULTURAL

ZONING HISTORY: PROPERTY WAS REZONED FROM F TO F-1 IN 1999

APPLICABLE LAND USE REGULATION: ARTICLE VIII, SECTION 8.1-1 (A) AND SECTION 8.1-2 (CC) OF THE KANE COUNTY ZONING ORDINANCE

LLSK Farms, LLC
Rezoning F-1 to F with a 3 year Interim Special Use

Special Information: LLSK Farms currently rents part of the property to Lawn Boyz Landscaping Company for storage of landscaping equipment and supplies. The issue was brought to the County's attention by a complaint. LLSK Farms is seeking to rezone the rear portion of the property back to F District Farming with a 3 year Interim Special Use to allow the landscaping business to be operated from the site. Some equipment and supplies will be stored in the large barn, most items will be kept outside and behind the large barn.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Agriculture. Part of the existing F-1 will remain in place to keep the house in compliance. The site is across the street from Johnson's Mound Nature Preserve. The Forest Preserve, IDNR, and Illinois Nature Preserve Commission have been asked to review the request. The greatest concern of these agencies was invasive species being introduced into Johnson's Mound from this site. Because of this the County is stipulating no offsite landscape waste/debris may be brought back to this location.

Staff recommendation: The Kane County Technical Staff recommends approval of the rezoning and 3 year Interim Special Use Request with the following stipulation:

1. Offsite landscape waste and/or debris may not be brought to this site.

Staff recommended Finding of Facts:

1. The rezoning will establish a use and occupancy in an otherwise vacant farmstead.

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

F

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.

LLSK Farms, LLC / Luke Peltier
Name of Development/Applicant

October 31, 2014
Date

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

Similar properties in the area whereby they include both a house and out buildings (i.e., barns). Larger properties are used as farms and/or commercial properties. Immediately across the street is Johnson’s Mountain Forest Preserve.

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

F District Farming

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

The existing zoning classification - rural residential - does not allow for commercial use, specifically for the renting of the barn and adjacent outdoor space by a local landscaping company. This landscaping company v utilize the barn to store their equipment and the adjacent outdoor space to park their equipment, landscaping materials (e.g., mulch and stone) and employee cars.

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

No apparent new development in the area.

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

2040 Plan designates this property as Agriculture.

F

LLSK Farms, LLC
41 W 651 Hughes Road, Elburn IL 60019

(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 special use will allow a local landscaping company to lease building and outdoor space to support the growth of their business. The company works within the Kane County community -- residential owners and commercial businesses -- and, as such, is highly motivated to maintain appropriate ethical and moral standards. With regards to safety, the company's on-property activities are limited to material and equipment storage and employee parking. More specifically, on-property activities are low risk to personal and environmental damage.

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

The activities associated with the special use are contained within an area that is not easily visible to/from the road and neighbors' properties. More specifically, the landscaping business activities will be maintained inside existing buildings and/or behind the large barn. Further, employee parking (10-15 cars) will be relocated to the rear of the property, which is also behind the barn. We commit to an on-going review of the property's maintenance to ensure any/all activity in view of traffic and neighbors is minimal and, as appropriate, will add greenery or fencing (as appropriate) to ensure the property maintains a reasonable standard of curb appeal.

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

The activities associated with the special use will not impede further development of the area. The special use will allow for the landscaping company to lease the space within existing buildings and their surrounding outdoor space. The buildings are well maintained and the outdoor space (upon approval) will be upgraded from grass/dirt to gravel landing and parking spaces. Traffic on/off property is minimal (see response to question #10 below).

(9) Will adequate utility, access roads, drainage and other necessary facilities be provided?

Yes. Any/all improvements to the property will be submitted for review within the Kane County permitting process. Projected improvements include (1) regrading the entry-way to create a 40ft. drive apron and (2) adding a gravel landing/parking lot at the rear of the property. The permitting process will identify any/all changes to the property to allow for appropriate access and drainage on the property.

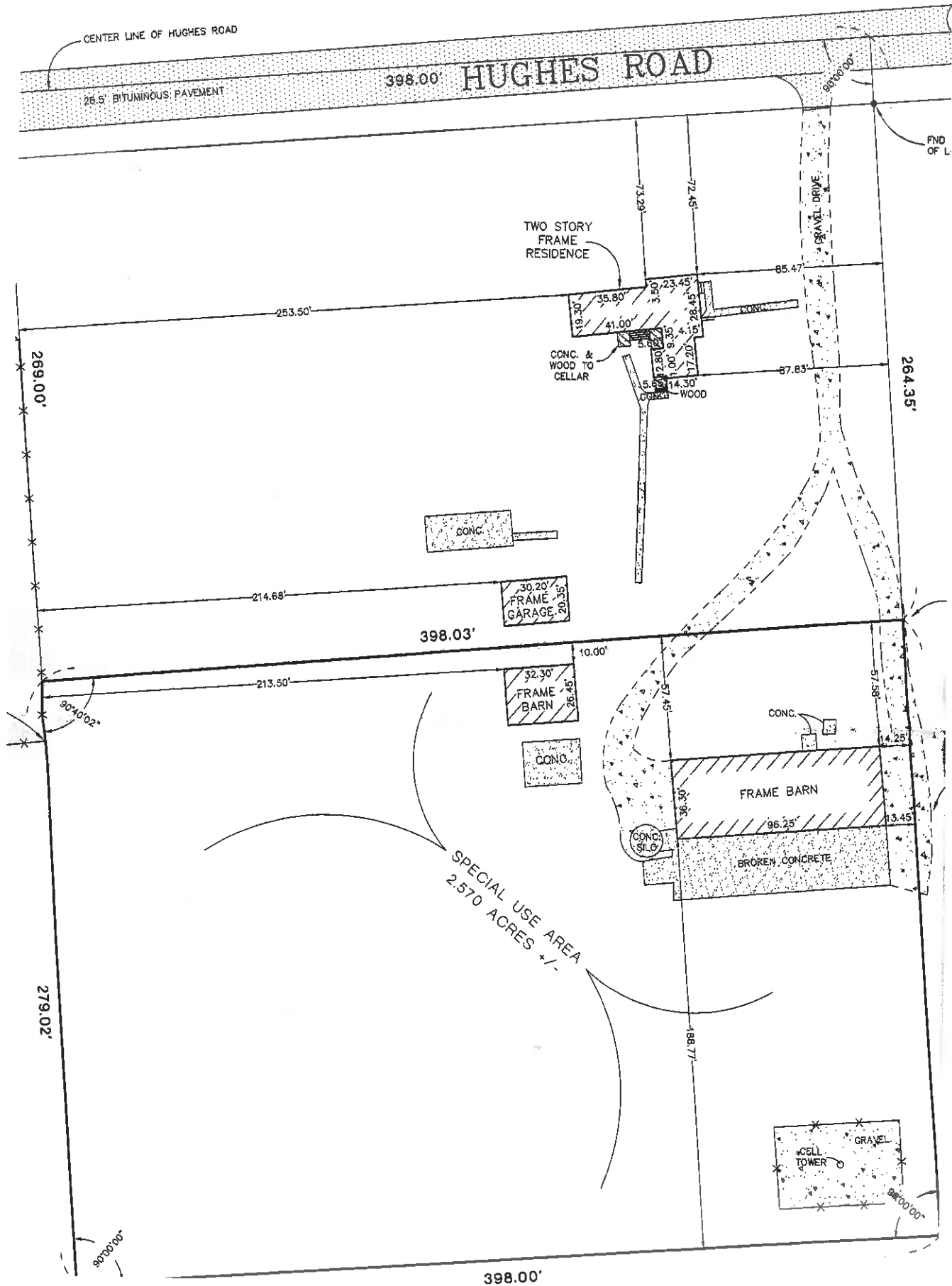
(10) Will adequate measures be provided for the ingress and egress so designed to minimize the traffic and congestion?

Yes. We are working with a local engineering company -- and with approval from KDOT -- to modify the existing entry-way to ensure safe entrance on and exit from Hughes Road. Traffic on/off the property will be limited to property owners (weekly), landscaping business employees (daily) and mulch delivery services (weekly).

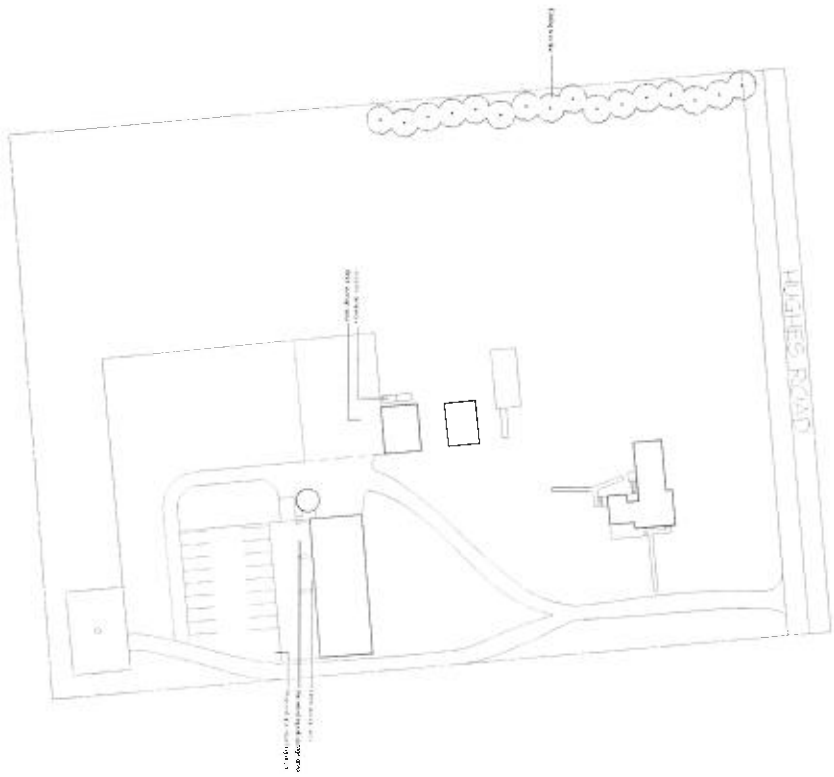
(11) Will the special use conform to the regulations of the district in which it is located?

Yes.

14.35 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTHERLY ALONG THE LAST DESCRIBED COURSE 283.65 FEET; THEN PARALLEL WITH SAID CENTER LINE 398.0 FEET; THENCE NORTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 279.02 FEET EASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 90 DEGREES 40 MINUTES 02 SECONDS MEASURED COUNTER-CLOCK WISE THE LAST DESCRIBED COURSE 398.03 FEET TO THE POINT OF BEGINNING, IN BLACKBERRY TOWNSHIP, KANE COUNTY, ILLINOIS. SAID PARCEL CONTAINS 2.570 ACRES MORE OR LESS



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Site Plan Layout
*
1/20



NOTES

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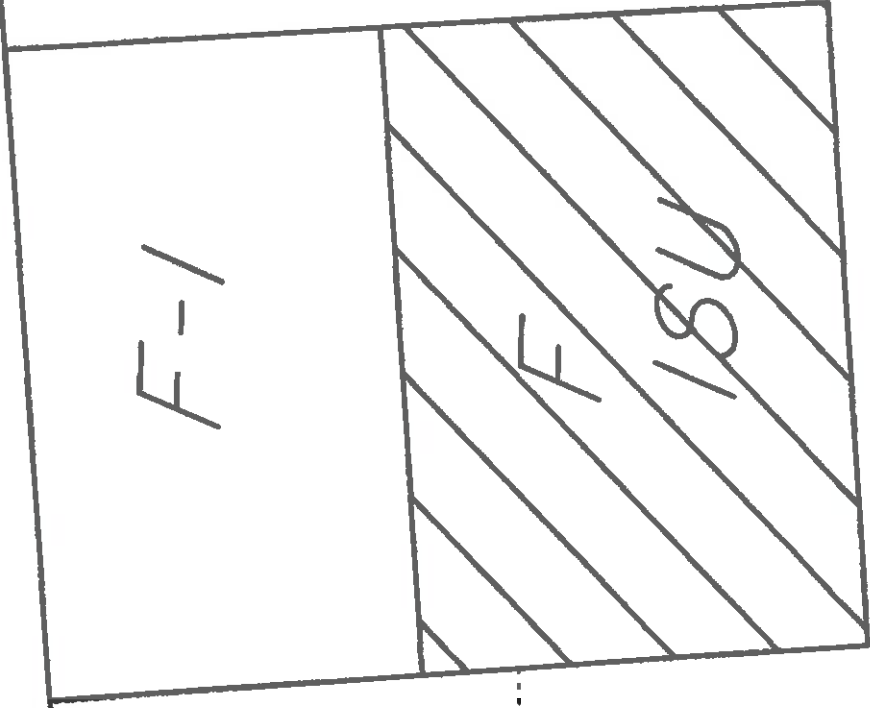
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Site Plan Layout

Lawn Boyz Shop
41 W 851 Hughes Rd.
CENTON, PA

DATE	1/20
SCALE	AS SHOWN
PROJECT	1 of 1
DRWING	
NO.	
REV.	

HUGHES



B

BLACKBERRY TWP.

T.39N - R.7E

map 11



1" = 1 MILE