



**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** 2016-4400 **Date** 09/28/2016

GENERAL INFORMATION

**APPLICANT:** DEVLEOPMENT PROPERTIES INC  
JOHN THORNHILL  
44 WHITE OAK CIRCLE  
ST. CHARLES 60174

**PURPOSE:** TO REZONE THE PROPERTY FROM F TO F-1 TO BRING THE HOME INTO COMPLIANCE WITH THE ZONING ORDINANCE. TO REZONE FROM F TO F-2 FOR A LANDSCAPING BUSINESS

**EXISTING ZONING:** F - FARMING;

**REQUESTED ACTION:** F-1 - RURAL RESIDENTIAL; F-2 - AGRICULTURAL RELATED SALES, SERVICE, PROCESSING, RESEARCH, WAREHOUSE AND MARKETING; SPECIAL USE;

**SIZE:** 2.25 ACRES

**LOCATION:** NORTH SIDE OF RT. 38, 850 FT WEST OF HOWARD RD., SECTION 32, VIRGIL TOWNSHIP

<b>SURROUNDING</b>	<b>ZONING</b>	<b>USE</b>
NORTH	F - FARMING;	AGRICULTURAL;
SOUTH	F - FARMING;	AGRICULTURAL; CEMETERY
EAST	F - FARMING;	AGRICULTURAL;
WEST	F - FARMING;	AGRICULTURAL;

**EXISTING LAND USE:** RESIDENTIAL; AGRICULTURAL;

**LAND USE PLAN DESIGNATION:** AGRICULTURAL

**ZONING HISTORY:** NO PREVIOUS REQUESTS FOR THIS PARCEL

**APPLICABLE LAND USE REGULATION:** ARTICLE XIII, SECTION 8.2 & 8.3 OF THE KANE COUNTY ZONING ORDINANCE

Zachary Tentinger  
F to F-1 & F-2

**Special Information:** The Petitioner is a contract purchaser for this property. He is seeking a rezoning to F-1 to bring the existing residential use back into conformance with the Zoning Ordinance. The Petitioner is also seeking to relocate his landscaping business to the property as well, utilizing the remaining land and existing agricultural buildings. His nursery stock will be grown in the northwest portion of the parcel.

**Analysis:** The Kane County 2040 Land Resource Management Plan designates this area as Agriculture. 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 Finding of Facts:**

1. The proposed rezoning is not increasing the density in the area.
2. The rezoning will preserve an existing rural residence and allow for agricultural use of remaining property.

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

## 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.*

Tentinger Rezoning-F1 District  
*Name of Development/Applicant*

July 30, 2016  
*Date*

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

There will be no changes that would be inconsistent with the present or surrounding land uses.

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

All are F District-Farming but with F1 District-Rural Residential nearly ½ mile to east and to west.

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

The size of the subject property, which includes the personal residence and garage of the petitioner and one other outbuilding used for storage, is too small to conduct a traditional agricultural enterprise for which the F District is intended.

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

There has been no perceptible development in the immediate area, except for what may occur within the Village of Maple Park ¾ mile to the west.

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

The proposed re-classification and use is compatible with the 2040 Plan since it will perpetuate existing permitted uses, will take no land out production and is consistent with the trend and character of the area.

# Findings of Fact Sheet – Special Use

Tentinger Rezoning-F2 District  
**Special Use Request**

July 30, 2016  
**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:*

1. 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 F2 District rezoning will expand the use of an existing building and site to accommodate the petitioner's nursery and landscaping business *Tentinger Landscapes*, a landscape maintenance and construction company. A complete description of the company's operating plan is presented in the attached stipulation and is illustrated on the attached Site Development Plan identified as Exhibit "B". While the area of any activity emanating from the subject property is set back more than 400 feet from Route 38, the nearest residential neighboring use is about 1000 feet away. Except for a neighboring cemetery on the south side of Route 38, the subject property is surrounded by other large areas of agricultural lands, which are uniquely tolerant of such contemplated activities.

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

Normal operations will take place during daytime hours, will not result in any retailing and therefore, will not generate large numbers of traffic movements, and can easily be accommodated in the rural area in which the subject property is located. The special use will not prevent nor limit anyone in the vicinity of the subject property from the full enjoyment and use of their property.

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

The activities proposed for the special use are not dependent on extension of any unique municipal or other utilities. Adjoining properties are completely free to develop pursuant to applicable regulations.

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

No additional utilities or other site improvements are necessary except for minor adaptation of existing building, and construction of landscape materiel storage bins and onsite driveway and parking areas. Storm water detention is not required.

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

Authority to improve (by re-grading) the existing entrance to subject property is being pursued through the Illinois Department of Transportation; onsite driveways will be constructed to define internal traffic flow and parking areas.

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

The present zoning classification of the subject and surrounding property is F District-Farming. Under Section 8.3-1, all uses in the F2 District are special and are presumed to occur in an agricultural area. Section 8.3-2(d) provides for Horticultural Services, which is consistent with the use proposed to be made of the F2 parcel and allowed in the F2 District.

# STIPULATION

## Operating Plan of Tentinger Landscapes, Inc.

Tentinger Landscapes is a full-service landscape provider offering design, construction and maintenance to residential and commercial clients throughout the western suburbs of Chicago. We provide professional service and are experienced in all aspects of landscape design, construction, and maintenance. Our passion for landscape is apparent in the designs we craft and the properties we maintain. Our past successes have been recognized by long and rewarding customer relationships and referrals, which are the foundation and future of our company.

As of June 2016, Tentinger Landscapes (hereafter TL) employs 12 full time, seasonal employees from its shop location. Employee arrival to the shop location is 6:00 am and return time is typically 7:00 pm, Monday-Friday, including Saturdays during prime season. As of June 2016, TL owns and operates 8 trucks and 7 trailers. Typically, each of these 5 trucks will depart at different times following preparation for the day. Typical shop departure for trucks begins at 6:00am each operation day.

In addition to trucks and trailers, TL owns and operates three (3) skid steers currently, which when not in use on jobsites will be stored inside the existing machine shed or outside for material loading and unloading use. Other motorized equipment includes mowers, blowers, line trimmers, sod cutter, rototillers, chainsaws, brick saws, compaction equipment, and trimmers. Such equipment is stored daily inside enclosed trailers for safety and efficiency of use by each respective crew.

The only lighting on site shall be security lighting, installed in key locations to deter criminal activity or theft.

Nursery stock will be raised on the northwesterly portion of the property that will remain in the F District. It is anticipated that additional land adjacent to the subject property will be added to the nursery.

### On Road Equipment as of 6/27/16

- (T1) 1997 Ford F250 (GVWR 8,000 lbs.)
- (T2) 2004 Ford F450 (GVWR 16,000 lbs.)
- (T3) 1999 Ford F450 (GVWR 16,000 lbs.)
- (T4) 2005 Ford F350 (GVWR 8,000 lbs.)
- (T5) 2007 Ford F350 (GVWR 12,000 lbs.)

(T6) 2000 Ford F450 (GVWR 16,000 lbs.)

(T7) 2008 Ford F350 (GVWR 12,000 lbs.)

(T8) 2002 Ford F450 (GVWR 16,000 lbs.)

**Trailers as of 6/27/16**

(TR1) 2006 Load Trail Dump Trailer (GVWR 10,400 lbs.)

(TR2) 2012 Cargo Mate Enclosed Trailer (GVWR 7,000 lbs.)

(TR3) 2001 Kiefer Equipment Trailer (GVWR 14,000 lbs.)

(TR4) 2015 Cargo Mate Enclosed Trailer (GVWR 7,000 lbs.)

(TR5) 2015 PJ Dump Trailer (GVWR 14,000 lbs.)

(TR6) 2016 Cargo Mate Enclosed Trailer (GVWR 7,000 lbs.)

(TR7) 2011 JB Enterprises Enclosed/Skidsteer Trailer (GVWR 14,000 lbs.)

**Off Road Equipment as of 6/27/16**

(SS1) 1998 Bobcat 873 skidsteer

(SS2) 2008 New Holland L185 skidsteer

(MS1) 2015 Vermeer s725tx MINI skidsteer

**Planned Replacement Equipment Purchases**

Ford F450 truck (to replace the current T2)

Ford F350 truck (replacement as needed)Equipment Trailer

# SITE DEVELOPMENT PLAN

## Plat of Survey and Topographic Exhibit of Part of the West Half of the Southeast Quarter of Section 32-40-6 Virgil Township, Kane County, Illinois

### Surveyor's Notes

A preliminary Site Commitment was not furnished to Johnson-Walker Surveying LLC for use in preparation of this plat. Therefore additional comments and/or services may affect this property.

Developments based upon this plat should be subject to additional conditions and/or restrictions as shown on the plat.

The plat is not valid without the Surveyor's original signature and official seal.

Compare the data on this plat with your data and/or Certificate of Title. Any variance on points prior to basing by the same and report any differences to the Surveyor in writing.

Common Address: 498410 Route 38, Maple Park, Illinois  
 Parcel Identification Number: 01-33-40-6-01

### Legend

- indicates spot elevations
- indicates proposed ditch
- indicates existing ditch
- indicates proposed surface
- indicates existing surface
- indicates proposed concrete surface
- indicates existing concrete surface
- indicates proposed gravel surface
- indicates existing gravel surface
- indicates proposed fence line
- indicates existing fence line
- indicates proposed corner bar
- indicates utility pole
- indicates utility pole next to the road
- indicates phone pole
- indicates electric service box
- indicates propane tank
- indicates water well
- indicates existing well



**Date of survey:** July 2012  
**City of Kane:** This is to certify that I, David S. Walker, a Licensed Professional Surveyor in the State of Illinois, have surveyed and located the improvements on part of the West Half of the Southeast Quarter of Section 32, Township 40 North, Range 6 East of the Third Principal Meridian bounded and described as follows: Commencing at the Southeast Corner of the Southeast Quarter of said Section 32, Thence North 01 degree 07 minutes 30 seconds East along the West line of said Southeast Quarter a distance of 60.25 feet to the Southern Right-of-Way line of a Public Road designated Illinois Route 38, Thence South 89 degrees 28 minutes 57 seconds East along said Southern Right-of-Way line a distance of 448.50 feet to the Point of Beginning of the Foreletter described parcel of land, Thence continuing thence South 89 degrees 28 minutes 57 seconds East along said Southern Right-of-Way line a distance of 75.82 feet, thence North 88 degrees 10 minutes 30 seconds East a distance of 108.01 feet, thence North 02 degrees 07 minutes 11 seconds East a distance of 454.31 feet, thence North 89 degrees 30 minutes 57 seconds West parallel with the South line of said Southeast Quarter a distance of 500.00 feet, thence South 02 degrees 14 minutes 54 seconds West a distance of 468.21 feet, thence North 88 degrees 30 minutes 24 seconds East a distance of 241.95 feet, thence South 01 degree 44 minutes 37 seconds West a distance of 207.88 feet to the Point of Beginning of the Township of Kane, Kane County, Illinois, as shown by the plat hereon drawn which is a correct representation of said survey and the professional service conforms to the current Illinois Statutes for a Boundary Survey. All distances are given in feet and decimal parts thereof.

Date of Letter, Article and Book: 07/16/12

Professional Land Surveyor No. 1547  
 License Expiration Date: November 30, 2016

### Table of Areas

**APPROXIMATE SURFACE AREA** including existing ditches & buildings: 254,312 sq. ft.

- P Parcel = 1,262 sq. ft. (14,876 sq. ft.)
- F1 Parcel = 2,248 sq. ft. (9,7849 sq. ft.)
- F2 Parcel = 1,438 sq. ft. (6,676 sq. ft.)
- Total = 5,000 sq. ft. (21,340 sq. ft.)

### Proposed Land Use

- Zone: Single-Family Residential - Single-Family
- Proposed Zone: R1 District - Single-Family Residential
- Proposed Zone: R2 District - Single-Family Residential

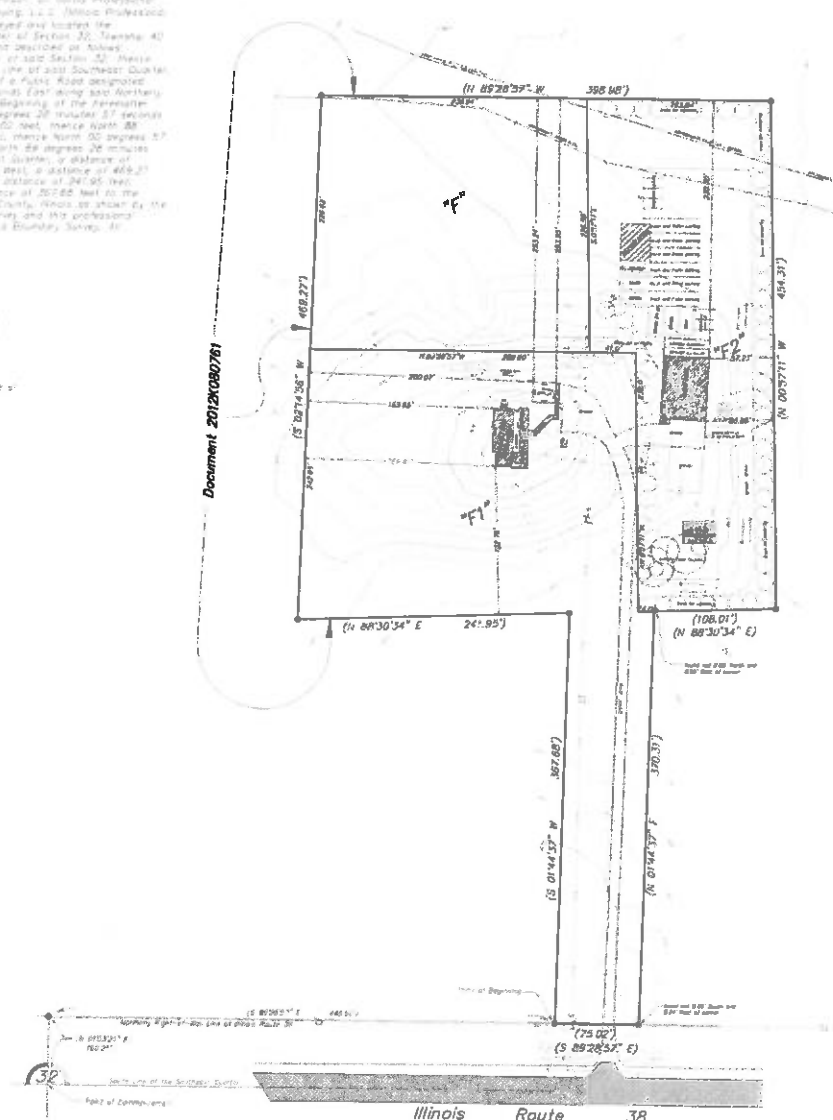
**Special Note:** Information on proposed improvements to be made to the site was given 5/01/2016 by Tentative Contractors, Inc.

### Location Map



Scale: NTS

Prepared by measurements by  
 David S. Walker, PLS, 07/16/12



Prepared by:  
 Johnson-Walker Surveying, LLC  
 4001 N. 1st Street, Suite 201  
 Geneva, Illinois 60134  
 (630) 248-3166 (fax) 708-5458 cell  
 www.jwsurveying.com

Job No./Project No.	01-33-40-6-01	Date	07/16/12
File Name	2012-004	Drawn by	CSJ
Directory	Projects\2012-004	Job No.	2012-0



SCHRADER RD.

Zachary Tompkins

38

32

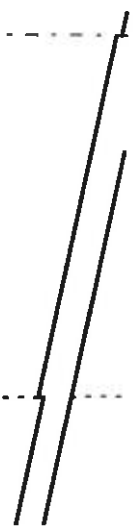
38



HOWARD RD.

HOWAR

WATSON RD.



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

map 7

