

4519

KANE COUNTY DEVELOPMENT DEPARTMENT  
Zoning Division, Kane County Government Center  
719 Batavia Avenue  
Geneva, Illinois 60134  
Office (630) 444-1236 Fax: (630) 232-3411

Received Date
MAR 25 2019
Kane Co. Dev. Dept. Zoning Division

**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.

1. Property Information:	Parcel Number (s): 11-32-301-002
	Street Address (or common location if no address is assigned): 35530 Finley Rd., Sugar Grove, IL 60554

2. Applicant Information:	Name	Juan Guerrero	Phone	(630) 742-0192
	Address	79 N. Root, Aurora, IL 60505	Fax	
			Email	unitedcustomhomes777@yahoo.com

3. Owner of record information:	Name	SAM B AS APPLICANT		
	Address		Fax	
			Email	

**Zoning and Use Information:**

2040 Plan Land Use Designation of the property: Rural Residential

Current zoning of the property: F

Current use of the property: Residential

Proposed zoning of the property: R-1 & E-3 for the parcels north & south of Finley respectively.

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)

North parcel will remain as is while south parcel will be improved w/ single family residence serviced by septic & well

**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)

\$900

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.

[Signature]  
Record Owner

2-19-19  
Date

Applicant or Authorized Agent

Date

August 26, 2019

Juan Guerrero

Rezoning from F-District Farming to R-1 District One Family Residential and E-3 District Estate Residential

**Special Information:** The property is split by Finley Road, with an existing single family residence on the northern portion and a vacant portion on the southern side of the road. The petitioner is seeking a rezoning to allow the southern portion to be divided off and developed as a separate single family residential property. Because the property would be reduced in size, the petitioner is seeking a rezoning for the northern portion to keep the existing home in conformance for residential use.

**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 Findings of Fact:**

1. The rezoning would create one new single family residential parcel on the south side of Finley Road.

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

# 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.

35530 Finley Rd., Sugar Grove  
Name of Development/Applicant

02/19/19  
Date

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 of the property, residential use, is consistent with the exiting residential use of properties within the general area of the property in question.

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

See Respose at the bottom of this sheet

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

Owner's intention is to divide the property into two parcels, physically separated by Finley Road, and to leave the existing residence north of Finley as is while constructing a new residential structure on the parcel south of Finley. The permitted use under current zoning district F does not support said intention.

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

The general area of the property in question are lots already occupied by residential structures. There is no "trend of development" per say.

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

It complies with the Rural Residential Use as identified on 2040 Land Use Plan.

A residential subdivision and a neighboring lot (35595 Finley), both zoned under F, exist immediately to the east and the southwest to the property in question respectively. The other neighboring property to the southwest (35540 Finley) is zoned under E-3. Lastly, the woody field to the north of the property in question is zoned under F.

Residential  
Commercial  
ALTA

# PLAT OF SURVEY

Studnicka and Associates, Ltd.  
studnicka2000@gmail.com

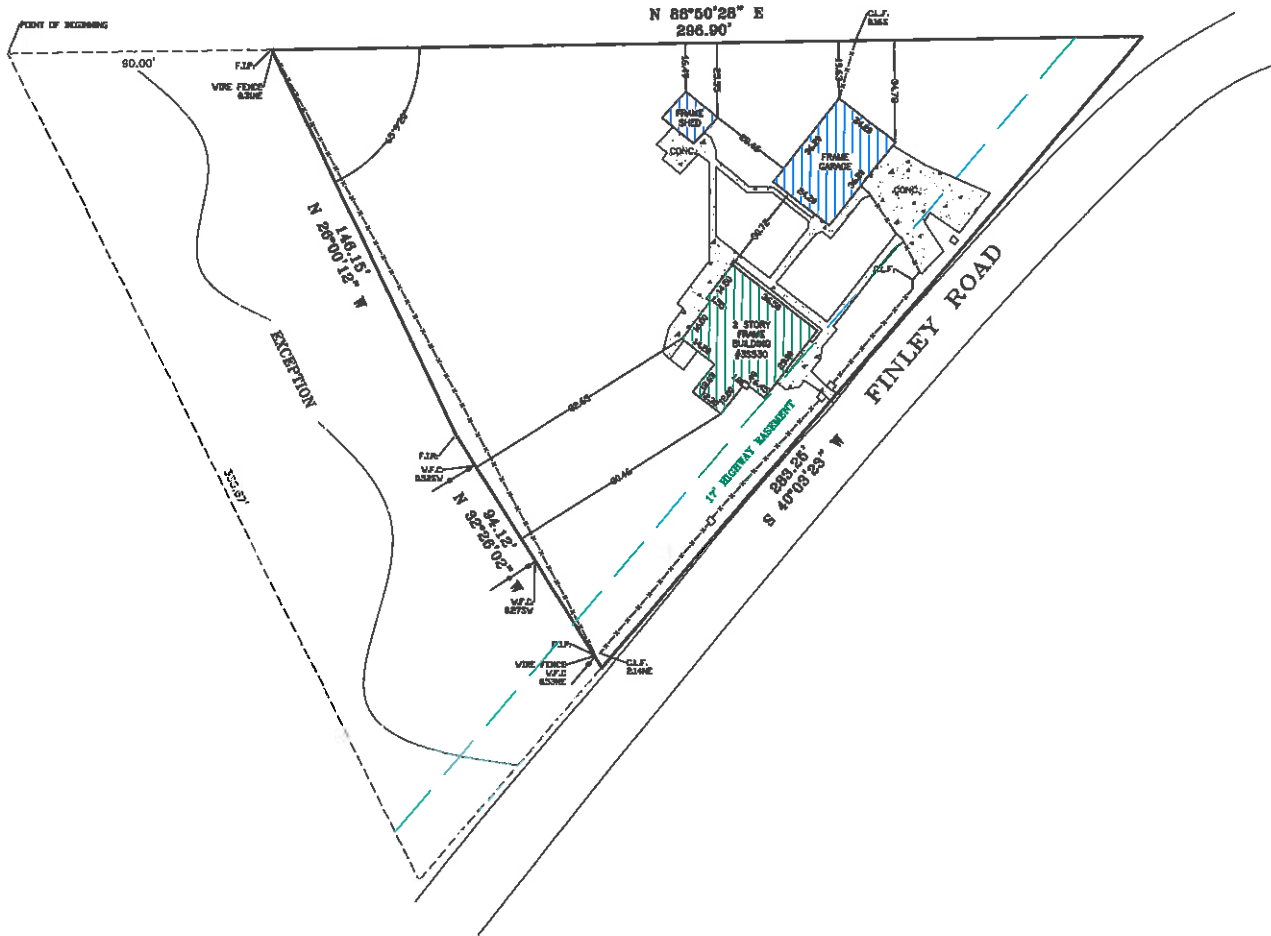
Topographical  
Condominium  
Site Plans

Tel. 815 485-0445  
Fax 815 485-0528

17901 Haas Road  
Mokena, Illinois 60448

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 39 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN AND BOUNDED AS FOLLOWS: COMMENCING AT A POINT 700.92 FEET EAST FROM THE NORTHWEST CORNER OF SAID QUARTER SECTION FOR A PLACE OF BEGINNING; THENCE EAST ALONG THE NORTH LINE OF SAID QUARTER SECTION ON AN ASSUMED BEARING OF  $N88^{\circ}50'28''E$  386.90 FEET; THENCE  $S40^{\circ}03'23''W$  378.74 FEET; THENCE  $N28^{\circ}53'53''W$  330.67 FEET TO THE PLACE OF BEGINNING, IN KANE COUNTY, ILLINOIS.

EXCEPTING THEREFROM THE PREMISES HERETOFORE DEEDED TO JOHN T. VINCENT AND BLANCHE M. VINCENT, HIS WIFE, DESCRIBED AS FOLLOWS: COMMENCING AT A STAKE 700.92 FEET EAST FROM THE NORTHWEST CORNER OF SAID SECTION FOR A PLACE OF BEGINNING; THENCE SOUTH 26.5 DEGREES EAST 330 FEET TO THE CENTER OF BLACKBERRY WOODS ROAD; THENCE EASTERLY ALONG THE CENTER LINE OF SAID ROAD 93 FEET; THENCE IN A NORTHWESTERLY DIRECTION TO A POINT ON THE SECTION LINE 90 FEET EAST OF THE PLACE OF BEGINNING; THENCE WESTERLY ON SAID SECTION LINE 90 FEET TO THE PLACE OF BEGINNING, IN KANE COUNTY, ILLINOIS.



Scale: 1" = 30 feet  
Distances are marked in feet and decimals.  
Ordered by: Ridgeline Consulting  
Order No.: 19-S-63A  
Compare all points before building by same and at once report any difference.  
For building lines, restrictions, or easements not shown hereon, refer to abstract, deed or ordinance.  
Field work completed: 2/22/18  
Drawn by: P.D.  
Proofed by: T.S.  
Design Firm Registration # 104-002791



STATE OF ILLINOIS }  
COUNTY OF WILL }

Studnicka and Associates, Ltd., an Illinois Land Surveying Corporation does hereby certify that this professional service conforms to the current Illinois standards for boundary survey.

Mokena, IL, February 18, A.D. 2018

by \_\_\_\_\_  
License No. 3304 Expires 11/30/20

Residential  
Commercial  
ALTA

# PLAT OF SURVEY

Topographical  
Condominium  
Site Plans

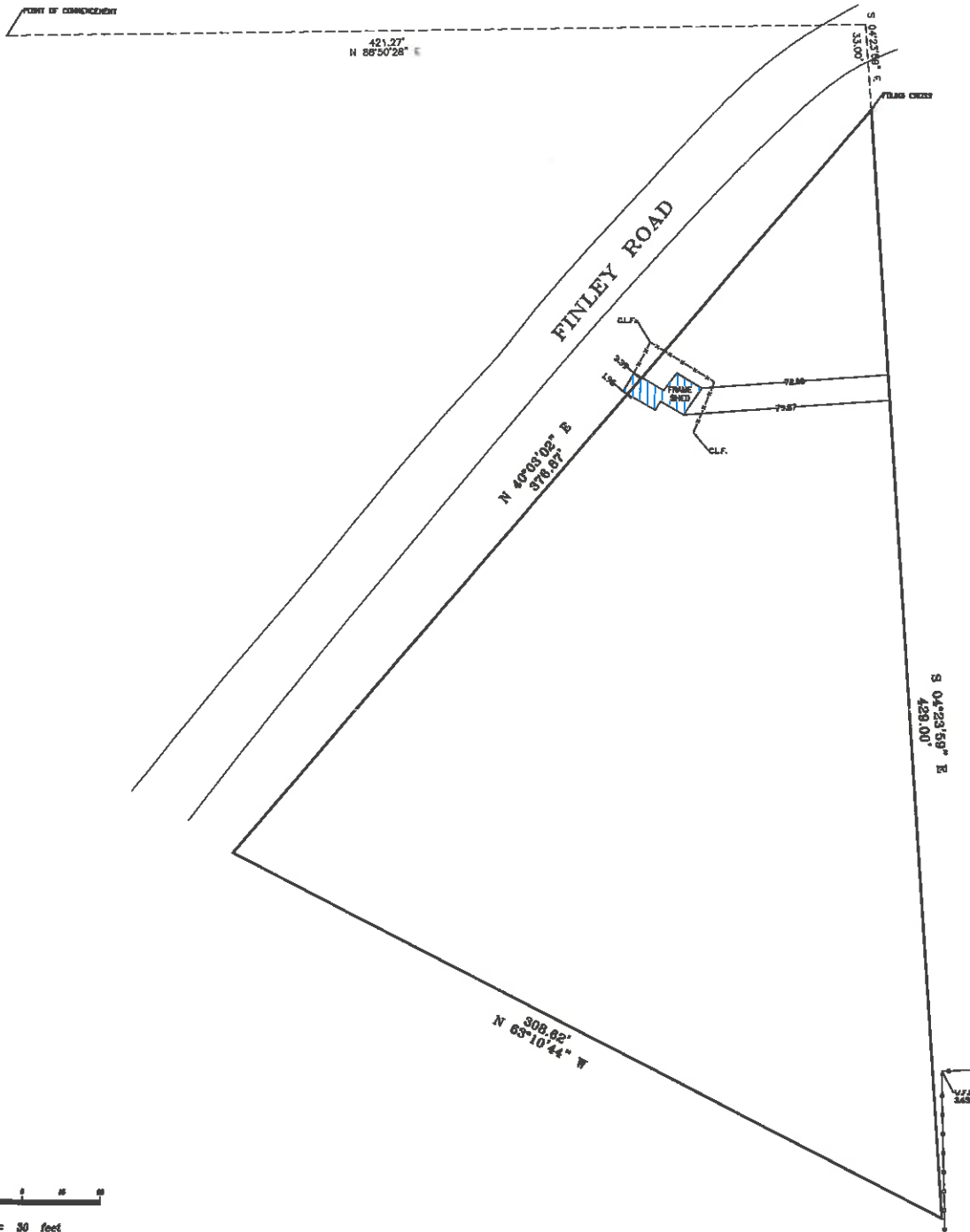
Tel. 815 485-0445  
Fax 815 485-0528

Studnicka and Associates, Ltd.

studnicka2000@gmail.com

17901 Haas Road  
Mokena, Illinois 60448

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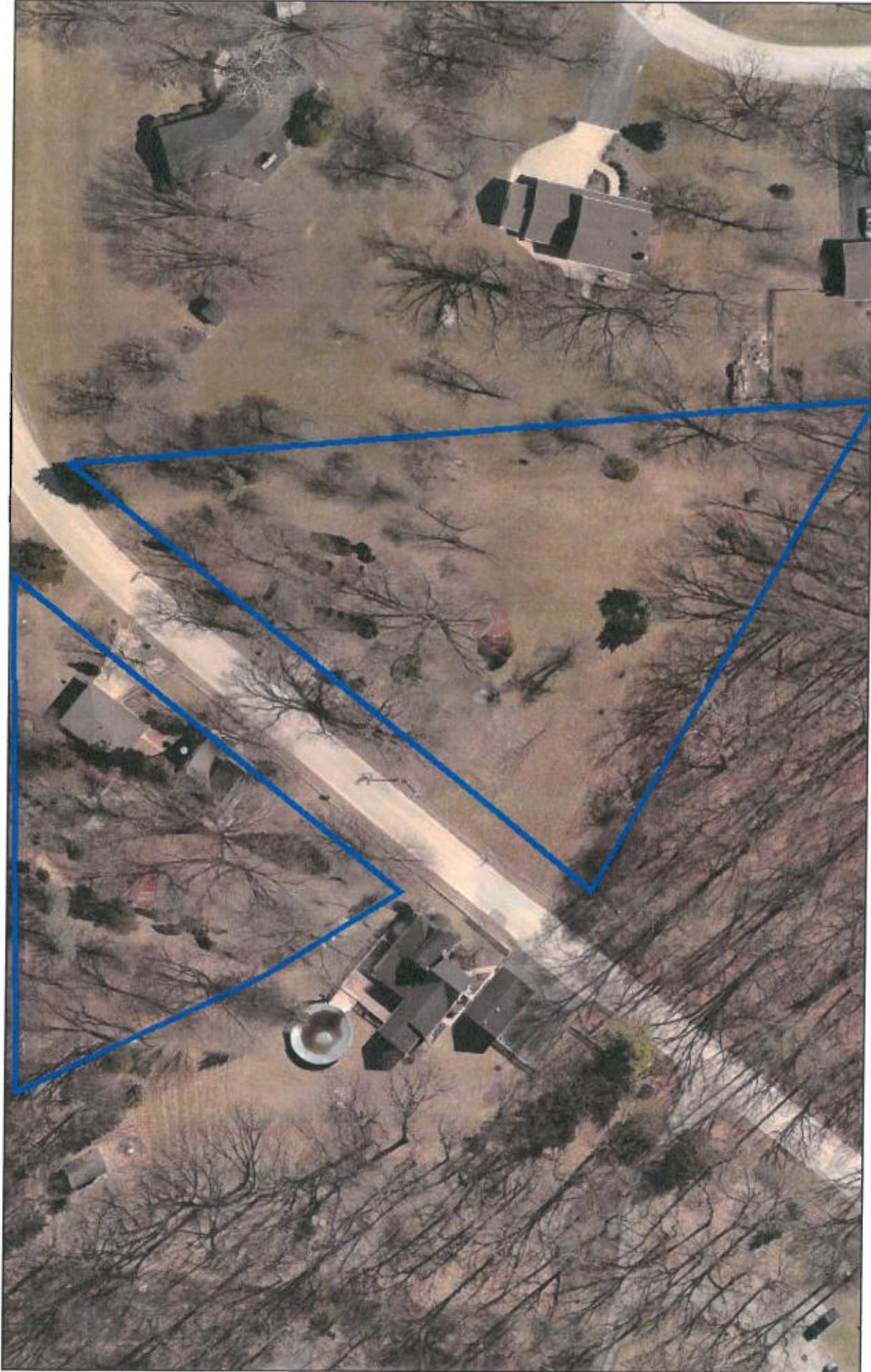
Scale: 1" = 30 feet  
 Distances are marked in feet and decimals.  
 Ordered by: Ridgeline Consulting  
 Order No.: 19-8-638  
 Compare all points before building by same and at once report any difference.  
 For building lines, restrictions, or easements not shown hereon, refer to abstract, deed or ordinance.  
 Field work completed: 2/22/18  
 Drawn by: P.D.  
 Proofed by: T.S.  
 Design Firm Registration # 184-002701



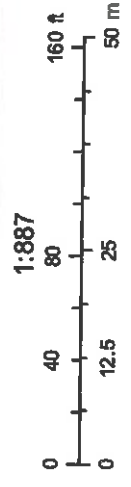
STATE OF ILLINOIS } ss  
 COUNTY OF WILL }  
 Studnicka and Associates, Ltd., an Illinois Land Surveying Corporation does hereby certify that this professional service conforms to the current Illinois standards for boundary survey.

Mokena, IL, February 18, A.D. 2019  
 by \_\_\_\_\_  
 License No. 3304 Expires 11/30/20

# Map Title

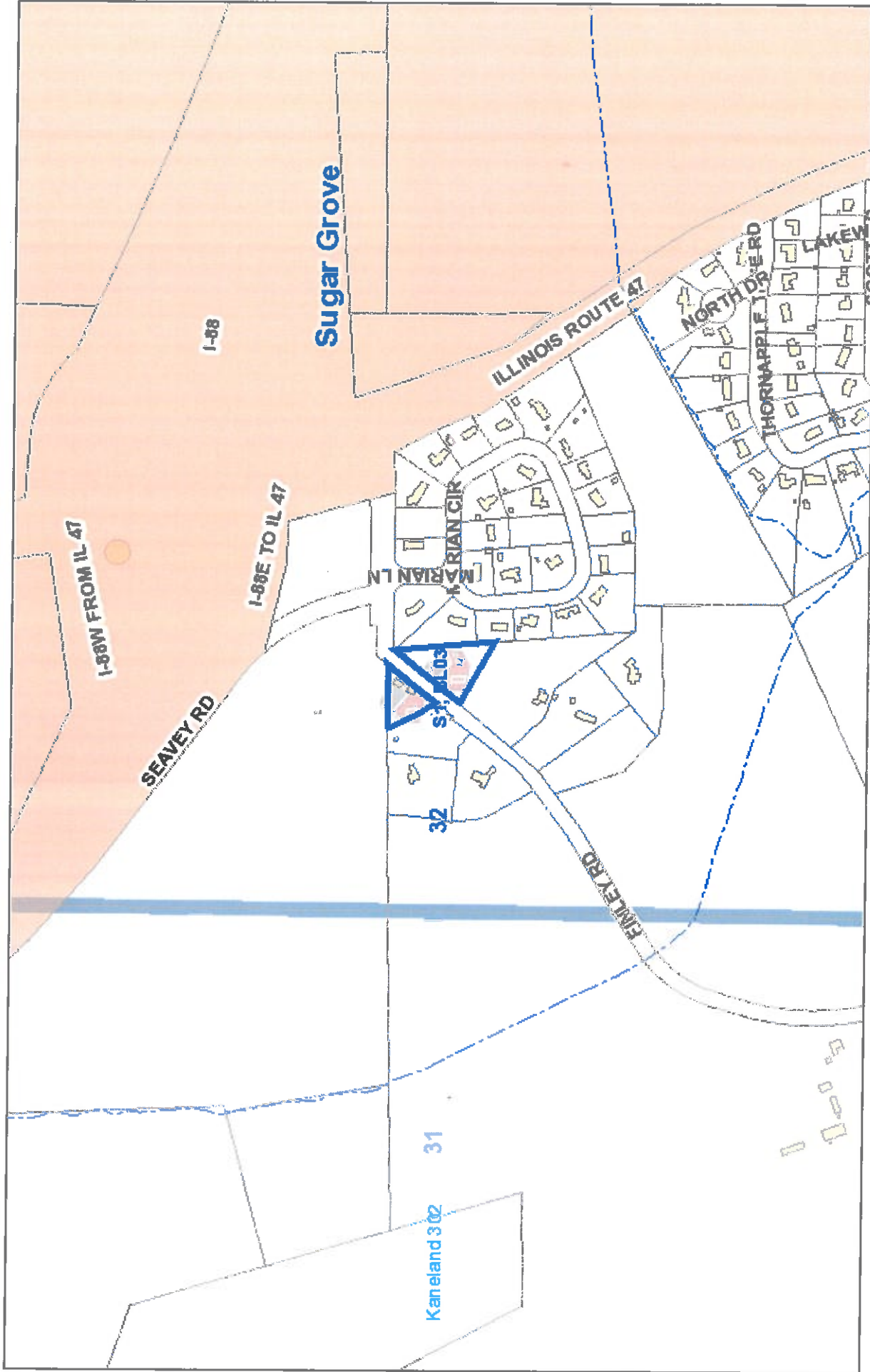


April 15, 2019



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

# Map Title



April 15, 2019

1:7,096  
0 325 650 1,300 ft  
0 100 200 400 m

GIS-Technologies

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GIS-Technologies  
Kane County Illinois



## Farruggia, Tony

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**From:** McGraw, Keith  
**Sent:** Thursday, August 22, 2019 9:13 AM  
**To:** Farruggia, Tony  
**Cc:** Nika, Kurt; Rickert, Tom  
**Subject:** RE: Kane County Rezoning Petition - Guerrero - Request for Comments  
**Attachments:** 2019-08-22 Zoning F to R1 E3.pdf

Tony,

In reference to the attached zoning request at 3S530 Finley Road, KDOT has the following stipulation:

- Right of way and highway easement must be dedicated in the total sum of 66 feet for Finley Road. It is suggested that 33 feet of ROW to the south should be dedicated, and a combination of ROW and Highway easement, to allow the existing home to not be included in ROW to the north.

As always, if you have any questions, or need anything else, please don't hesitate to reach out.

Thank you,

**Keith McGraw** | Permit and Traffic Engineering Technician



**Kane County Division of Transportation**

**41W011 Burlington Road**

**St. Charles, IL 60175**

**(Direct) 630-444-2959 | (Mobile) 630-816-1693 | (Fax) 630-584-5239**

**(email) [mcgrawkeith@co.kane.il.us](mailto:mcgrawkeith@co.kane.il.us) | (Web) <http://www.co.kane.il.us/dot/>**

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**From:** Farruggia, Tony <[FarruggiaTony@co.kane.il.us](mailto:FarruggiaTony@co.kane.il.us)>

**Sent:** Tuesday, August 6, 2019 10:38 AM

**To:** Frasz, Drew <[DFrasz@kanecoboard.org](mailto:DFrasz@kanecoboard.org)>; Hain, Ronald <[RonHain@countyofkane.org](mailto:RonHain@countyofkane.org)>;

[Supervisor@BlackberryTWP.com](mailto:Supervisor@BlackberryTWP.com); [Roads@BlackberryTWP.com](mailto:Roads@BlackberryTWP.com); Schoedel, Carl <[schoedelcarl@co.kane.il.us](mailto:schoedelcarl@co.kane.il.us)>;

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McGraw, Keith <[McGrawKeith@co.kane.il.us](mailto:McGrawKeith@co.kane.il.us)>; VanKerkhoff, Mark <[vankerkhoffmark@co.kane.il.us](mailto:vankerkhoffmark@co.kane.il.us)>; Wollnik, Jodie

<[WollnikJodie@co.kane.il.us](mailto:WollnikJodie@co.kane.il.us)>; Berkhout, Keith <[BerkhoutKeith@co.kane.il.us](mailto:BerkhoutKeith@co.kane.il.us)>; Nika, Kurt <[nikakurt@co.kane.il.us](mailto:nikakurt@co.kane.il.us)>

**Subject:** Kane County Rezoning Petition - Guerrero - Request for Comments

To whom it may concern,

Attached is a rezoning petition that will be heard by the Kane County Zoning Board of Appeals on September 10, 2019. Please provide comments in reply to this email.

Regards,