

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

4528

Received Date

**APPLICATION FOR ZONING MAP AMENDMENT
AND/OR SPECIAL USE**

SEP 04 2019

Kane Co. Dev. Dept.
Zoning Division

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): 05-27-100-015-0000 & 05-22-300-010-0000
	Street Address (or common location if no address is assigned): 9N983 Dittman Road, Elgin, IL 60124

2. Applicant Information:	Eric Zimmerman	Phone 847-471-2928
	Address 9N983 Dittman Road, Elgin, IL 60124	Fax
		Email zimmermanlandscaping@gmail.com

3. Owner of record Information:	Name Same as Applicant. Owner is Applicant	Phone
	Address	Fax
		Email

Zoning and Use Information:

2040 Plan Land Use Designation of the property: Resource Management

Current zoning of the property: F-1 Farm District

Current use of the property: Farm & Residential

Proposed zoning of the property: F-1 Farm District for an existing single-family residence (Parcel 1-1.965 acres) and F-2 with special use for a landscaping business (Parcel 2- 13.545 acres).

Proposed use of the property: Residence (Parcel 1) and landscaping business (Parcel 2).

If the proposed Map Amendment is approved, what improvements or construction is planned? (A site plan is enclosed)

Attachment Checklist

- X Plat of Survey prepared by an Illinois Registered Land Surveyor.
- X Legal description
- X Completed Land Use Opinion application (Available in pdf format) www.kanedupageswed.org/luo.pdt, as required by state law, mailed to: The Kane DuPage Soil and Water Conservation District, 545 S. Randall Road, St. Charles, IL 60174.
- X Endangered Species Consultation Agency Action Report (available in pdf format at www.dnr.state.il.us/orep/nrrc/aar.htm) to be filed with the Illinois Department of Natural Resources.
- X List of record owners of all property adjacent & adjoining to subject property
- X Trust Disclosure (Not Applicable)
- X Findings of Fact Sheet
- X 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.


Record Owner

8/26/19
Date

Applicant or Authorized Agent

Date

Findings of Fact Sheet - Map Amendment and/or Special Use

Eric Zimmerman

Name of Development/Applicant

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

Response: The property consists of two parcels with a total of 15.51 acres, it is accessed directly onto Dittman Road. The Property is zoned F-1 Farm District. Parcel 1 of 1.965 acres will remain F-1 with the existing single-family home to be occupied by the Owner/Applicant. The Applicant is requesting zoning of Parcel 2, 13.545 acres from F-1 to F-2 with a special use to permit an owner operated landscaping business on the property. The use is consistent with the adjacent uses of Alpaca farm and Pheasant farm. The use will not increase traffic or noise in any significant way. It will have no significant negative impacts on the neighbors. It will not be necessary to provide additional utilities, access roads, or drainage.

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

Response: The surrounding properties have the zoning classification of F, F-1 and Forest Preserve (Zoning Exhibit attached).

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

Response: The property is suitable to the uses permitted under the existing zoning classification. A use for a landscaping business is an existing allowed special use in the F-2 Farm District.

Request Special Use:

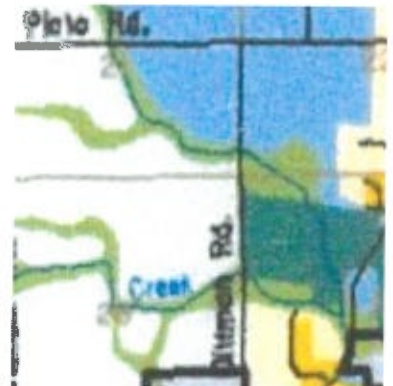
(List any special requirements)

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

Response: Farm and open space

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

Response: The property is designated Resource Management. The proposed use for the property is consistent with the Kane County 2040 Land Use Plan.



Findings of Fact Sheet - Special Use



Special Use Request

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:*
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.

Response: The requested use is low impact consistent with the historical uses of the property and compatible with the surrounding existing uses. Property will be used for tree nursery, material storage, equipment storage and natural trees, shrubs and bushes.

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

Response: The requested use is low impact consistent with the historical uses of the property and compatible with the surrounding existing uses. It is consistent with property uses of Alpaca farm and Pheasant farm. The area is a rural area.

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

Response: The impact of the requested use is minimal and confined to the existing property and will have no impact on the development and improvement of the surrounding property.

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

Response: Property has adequate access and egress to Dittman Road and adequate drainage

and utilities to accommodate the requested zoning.

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

Response: Dittman Road accommodates egress and ingress without compromising roadways or neighbors. The traffic pattern will not be impacted. The traffic generated is not significant and creates no traffic concerns.

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

Response: The special use will conform to the regulations of the existing Districts with a special use. The Owner is not requesting any variances.



GUERARD, KALINA & BUTKUS
ATTORNEYS AT LAW

RICHARD M. GUERARD
MARK F. KALINA
MARY E. KRASNER
J. STEVEN BUTKUS
JOHN J. PCOLINSKI, JR.

310 S. COUNTY FARM ROAD
SUITE H
WHEATON, IL 60187
PH. (630) 665-9033
FAX (630) 690-9652
WRITER'S DIRECT (630) 698-4700
Email: 698-4700
richguerard@wydp.com

October 4, 2019

Kane County Development Department
Attn: Keith Berkhout
Zoning Planner
719 Batavia Ave.
Geneva, IL 60134

Kane County Planning Department
Attn: Mark VanKirchoff
Planning & Building Director
719 Batavia Ave.
Geneva, IL 60134

Re: Request for Special Use for use of a landscaping business
Property: 9N983 Dittman Road, Elgin, IL 60124
Parcels: 05-27-100-015-0000 & 05-22-300-010-0000

Dear Keith and Mark:

This letter is to provide supplementary information to the submitted applications.

1: The existing pole barn shown on the site plan will be used to store/house equipment; trucks, trailers, lawn mowers, hand power equipment, wheelbarrows, shovels, rakes, etc.

2: Employees will park in designated parking spots in the gravel area East of the pole building. Trucks & trailers will be parked in the designated gravel area as well as inside the pole building.

3: Storage of Mulch, gravel, sand, aggregate will be stored in the gravel area east of the pole barn. these materials will be stored on a concrete slab with concrete blocks surrounding three sides of the concrete slab.

4: Landscape Equipment which may be on site includes: (1) one-ton dump truck, (1) one-ton pick-up truck (4) 3/4 T. pickup trucks, (1) 1/2 Ton. pickup truck, (2) equipment trailers, (3) Utility Trailers, (1) Dump trailer, (12) commercial style lawn mowers riders/standers/walk behinds, (9) snow plows for trucks & skid steers, (2) skid steer loaders, (1) kubota compact tractor, and various hand powered equipment: string trimmers, power blowers, chain saws, hedge trimmers, plate compactors & concrete saws.

The remainder of the property will be used to grow shrubs, trees & evergreens which are only for use in the owner's landscape business. This location and property will not be used for retail and nothing will be sold on site nor will any customers visit the property.

The pole building will be utilized as an equipment/material storage facility for Zimmerman Landscaping. The company has 10 employees. Employees will be arriving at the pole building in the mornings load equipment & materials as needed for the daily tasks. During the day employees will be off site with minimal loading and employees limited time at the property. At the end of the day employees will arrive, unload equipment and park vehicles/trailers. The owner, Eric Zimmerman's sole residence is the residence onsite and employees will be fully supervised. There will be no impact on the adjacent Forest preserve as the property is leased to a local farmer for corn or soybeans crops at this time.

Please contact me if you need any additional information or to answer any questions.

Yours truly,



Richard M. Guerard

RMG/jmh

Enc.

October 30, 2019

Eric Zimmerman

Rezoning from F-1 District Rural Residential to F-2 District – Agricultural related sales, service, processing, research and marketing with a Special Use for a landscaping business

Special Information: The petitioners are seeking a rezoning for most of the property from the current F-1 to F-2 to allow them to relocate their landscaping business on the property. The existing home would remain for residential use under the existing F-1 zoning.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area Proposed Open Space. This category includes areas recommended for both public and private open space and green infrastructure uses.

Staff recommended Findings of Fact:

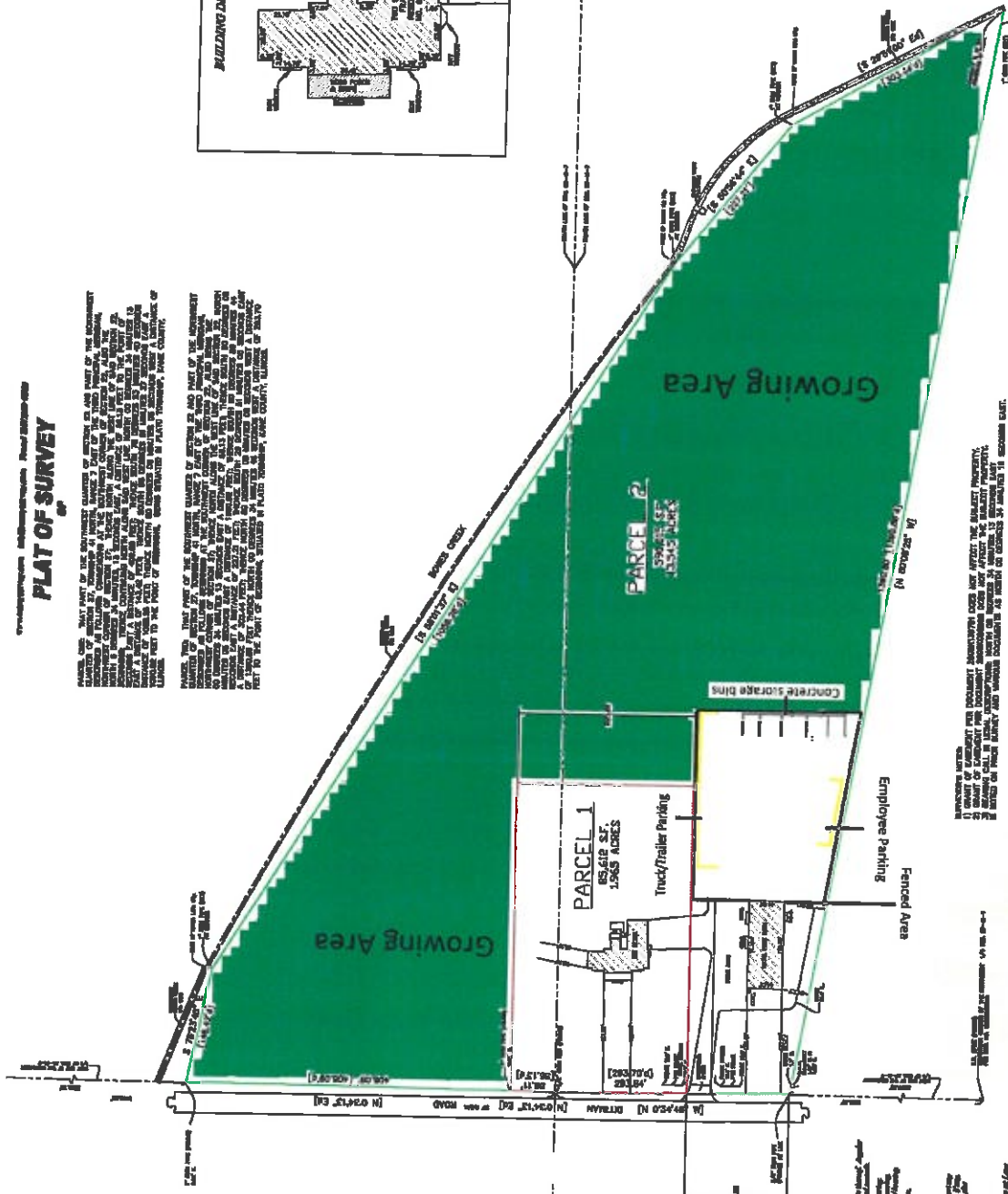
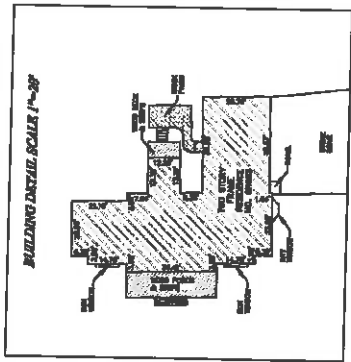
1. The rezoning will allow a landscaping business to be relocated to this property.

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

PLAT OF SURVEY

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 20____.



CONTRACT NO. 2013-001
DATE: 08/14/13
PROJECT: PLAT OF SURVEY
CLIENT: [Name]
ADDRESS: [Address]
CITY: [City]
STATE: MI
ZIP: [Zip]
PHONE: [Phone]
FAX: [Fax]
EMAIL: [Email]
WEBSITE: [Website]

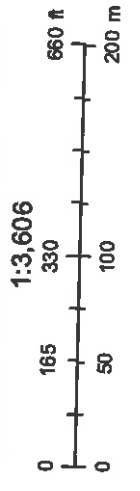
THIS PLAT OF SURVEY WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF MICHIGAN. I HAVE BEEN A MEMBER OF THE PROFESSIONAL ENGINEERS SOCIETY OF MICHIGAN SINCE [Year]. I HAVE BEEN A MEMBER OF THE SOCIETY OF PROFESSIONAL SURVEYORS SINCE [Year]. I HAVE BEEN A MEMBER OF THE MICHIGAN SURVEYORS ASSOCIATION SINCE [Year]. I HAVE BEEN A MEMBER OF THE MICHIGAN SURVEYORS ASSOCIATION SINCE [Year]. I HAVE BEEN A MEMBER OF THE MICHIGAN SURVEYORS ASSOCIATION SINCE [Year].

ORDER NO. 2013-001
DATE: 08/14/13
PROJECT: PLAT OF SURVEY
CLIENT: [Name]
ADDRESS: [Address]
CITY: [City]
STATE: MI
ZIP: [Zip]
PHONE: [Phone]
FAX: [Fax]
EMAIL: [Email]
WEBSITE: [Website]

Map Title

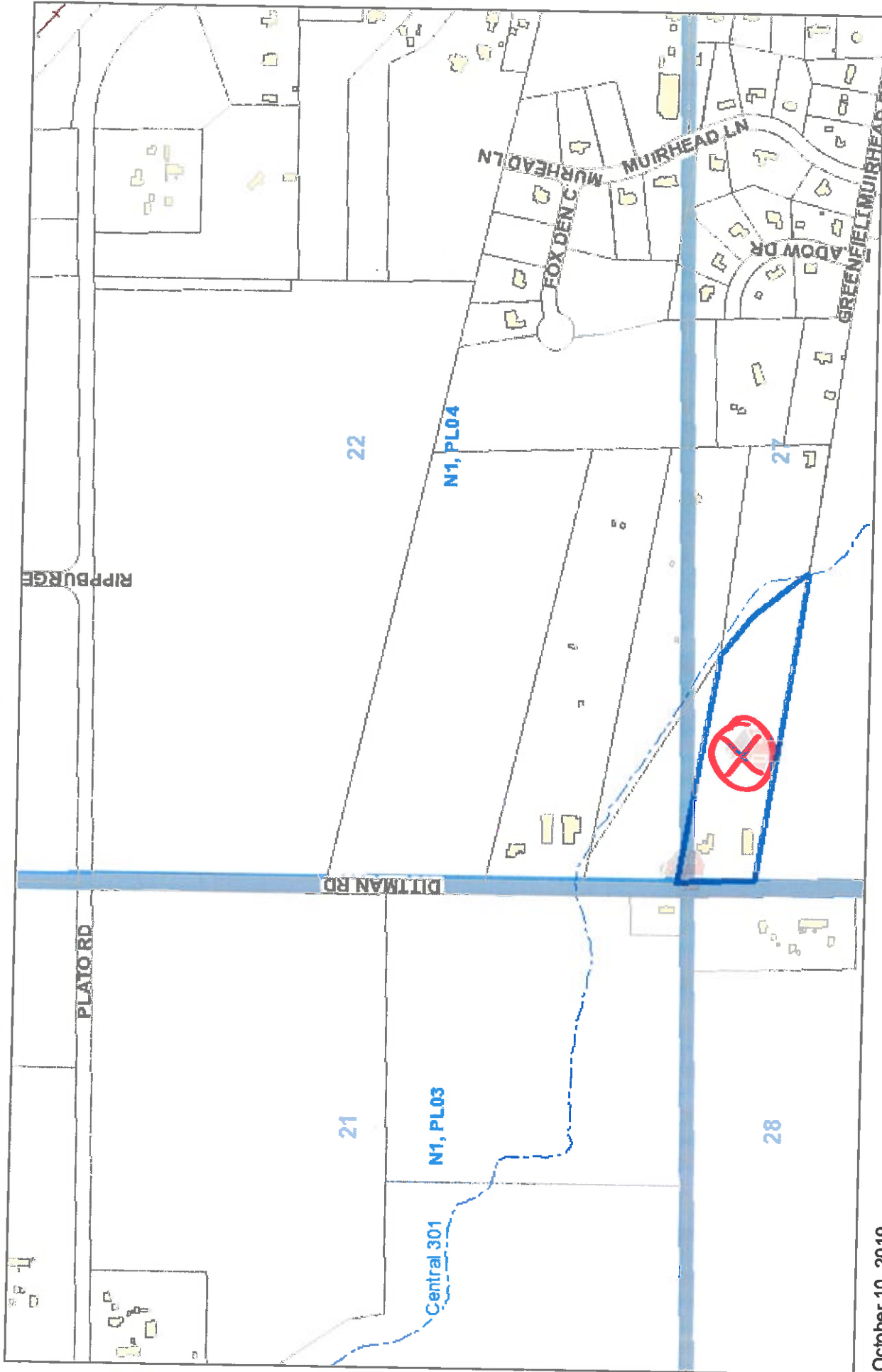


October 10, 2019



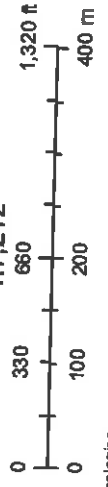
These layers do not represent a survey. No Accuracy is assumed for the data delineated herein, either expressed or implied by Kane County or its employees. These layers are compiled from official records, including plats, surveys, recorded deeds, and contracts, and only contains information required for local government purposes. See the recorded documents for more detailed legal information.

Map Title



October 10, 2019

1:7,212



GIS-Technologies

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Kane County Illinois