



## **Town of Cortland**

### **Planning Commission Meeting**

Town Hall, 59 S. Somonauk Road Cortland, IL 60112

January 04, 2024 at 7:00 PM

#### **AGENDA**

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**CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL**

**APPROVAL OF AGENDA**

**PUBLIC COMMENT**

**APPROVAL OF MINUTES**

- [1.](#) Approve Minutes of December 07, 2023

**PUBLIC HEARING**

- [2.](#) The Town of Cortland, applicant, is requesting rezoning of the subject property, East North Ave, from R-1 with a Special Use Permit to 1-1 Light Industrial.

**CHAIR REPORT**

**ZONING ADMINISTRATOR REPORT**

**ADJOURNMENT**

Town of Cortland  
Town Hall  
59 S. Somonauk Road  
Cortland, IL 60112  
**Planning Commission**  
Regular Meeting  
December 7, 2023  
7:00 PM

**Call to Order/Pledge of Allegiance/Roll Call**

Mr. Hedrick called the meeting to order at 7:00 p.m. Deputy Clerk Kaity Siewierski called the roll showing as present, Commissioners Mark Hedrick, Vicky Torres, Brad Lawson, Alex Haughee, Joelle Morken and Robert Barnhart. Shown as absent was Alexis Bower. Quorum was present. Also, present was Brandy Williams, Zoning Administrator.

**Approval of the Agenda**

Mr. Barnhart moved to approve the agenda as presented, seconded by Mr. Lawson. Voice vote carried the motion.

**Public Comment**

No public wishing to speak unrelated to the public hearing.

**Approval of Minutes**

Ms. Torres moved to approve the minutes of November 2, 2023, seconded by Ms. Morken. Voice vote carried the motion.

**Public Hearing**

Mr. Hedrick opened the Public Hearing at 7:02 p.m.

Deputy Clerk Kaity Siewierski read the Public Notice into the record, published in the Daily Chronicle on November 17, 2023, in accordance with the law.

Mr. Hedrick swore in the individuals who wished to testify.

**Applicant Testimony**

Brian Blazyk, Applicant, presented his case to the planning commission. Mr. Blazyk is requesting rezoning of the subject property, 45 W Chestnut Ave, from R-1 Single Family Residence with Special Use to C-1 Limited Retail Business as set forth in Title 9, Chapter 3 of the Cortland Town Code, for the purpose of not only maintaining a church but creating something favorable for the town.

**Public Testimony**

Tracy Johnson, who sent written correspondence via postal service, is in opposition to the request to rezone.

Adam Benn, who does work within the town, supports the vision of Mr. Blazyk.

Nicole Esposito stated she works with Mr. Blazyk and would like to see this church building come back to life. Without the change in zoning, the church has little purpose.

Pat Renick stated he would not like to see the church turned into a bar/restaurant.

Doug Corson stated he believes the church could be turned into something better. The fear is it may be torn down should the zoning not change.

Gigi Statler who lives across the street and was a former parishioner of the church, stated she would love to see the church become something, but not a gathering place/ bar/restaurant as stated in the applicant's application.

Heather Black stated she agrees with everyone who has testified. She believes the church is a valued building. If the zoning is not changed, nothing could be made of the church. She wants something done with the building. She also fears that if the zoning is not changed, the building may be torn down or boarded up.

Charles Simpson stated he believes the town is a peaceful community and would not like to see the church made into a tavern/ beer joint.

Charlie Alsip stated he believes this proposal would be a good opportunity for the town. He also stated that something needs to be done with the church. Residents want business within town, but do not want it in their back yard. It needs to start somewhere.

Roger Olson stated he believes the church should stay a church. He is not interested in seeing the church be made into a bar/ restaurant. He believes it would be beneficial to move the church all together.

Libby Witty stated she is not interested in having a bar/restaurant that would overlook property lines.

Kathy Pugh stated she is not interested in a bar/restaurant in the church. She is not opposed to business there but feels that specific use could be counterproductive.

Brenda Peterson stated she feels the town needs to keep an open mind to change and opportunity.

Mr. Hedrick asked if any other persons wished to testify. No other testimonies were presented.

### **Rebuttal**

Mr. Blazyk thanked everyone who spoke up and voiced their opinions and concerns. He was hoping for more positive feedback from residents. He stated if it were to remain R-1 there are little to no opportunities for this parcel. He stated his intentions are to remain family oriented.

### **Staff Report**

Ms. Willaims presented her report to the Planning Commission as follows:

### **PROPOSAL**

The applicant has filed with the Town of Cortland a request for a map amendment of district boundaries in accordance with Title 9, Chapter 3 of the Cortland Town Code regarding his property at 45 West Chestnut Avenue, Cortland Illinois, PIN 09-29-130-008. The applicant is

requesting rezoning of the subject property from R-1 with a Special Use Permit to C-1 Limited Retail Business. The petitioner's application is attached as Exhibit A.

### **LOCATION AND DESCRIPTION**

The subject property is located at 45 West Chestnut Avenue, at the northwest corner of West Chestnut Avenue and South Ottawa Street. This property includes Lots 9, 10, 11, and 12 together with the south half of the vacated alley lying northerly of the above-described property all in Block 5 in the Original Village of Cortland, platted in 1855. The total area is 15,246 sq ft.

The subject property is improved with a one-story frame structure and asphalt parking lot. The current use of the structure is not confirmed. A Change of Use or Certificate of Occupancy has not been requested by the owner since the transfer of the property from the Methodist Church to Transcend Properties.

### **Existing and Surrounding Zoning:**

The subject property is zoned R-1, Single Family Residence with Special Use Permit. All adjacent properties including across road right of way are zoned R-1 Single Family Residence. An excerpt of the zoning map has been included as Exhibit B.

The 2022 Official Zoning Map can be found on the Town of Cortland website and at:

[https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland\\_Zoning\\_Map\\_2022.pdf](https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland_Zoning_Map_2022.pdf)

### **Existing and Surrounding Land Uses:**

With the exception of a vacant lot owned by the petitioner to the northwest of the subject property, all adjacent land uses are single family residences located within an established neighborhood.

### **BACKGROUND**

The basis of the subject property was created in 1855 via platting in the Original Village of Cortland. The subject property was recently modified when the petitioner joined two parcels to create the boundary as it exists today.

Until June 2022, the structure was used as a church. Religious institutions are permitted use in R-1 Single Family Residence districts per Cortland Zoning Code. In 2007, the Cortland United Methodist Church received a Special Use Permit to establish and operate a carillon on the property.

Due to the age of the structure, records are limited. From all indications received, the structure has been used as a church since its construction, which roughly coincides with the founding of the Original Village of Cortland. Prior to the town's re-addressing system, the address of this property was 4409 Chestnut Street.

Staff have not located any variances that were granted for this property.

### **COMPREHENSIVE PLAN**

The Town adopted a Comprehensive Plan in September 2023, which guides development throughout the community. The Future Land Use Map associated with this document depicts this property as Public Institutional uses.

The site was constructed and operating as a church prior to the development of the adjacent neighborhood. The Town's Comprehensive Plan was created after this property was

developed. The proposed rezoning does not coincide with the Comprehensive Plan. Staff views granting rezoning as a deviation from the vision plan.

Note: An excerpt of the Comprehensive Plan is attached as Exhibit C.

The full Comprehensive Plan can be found on the Town of Cortland's website and at:

[https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland 2023 Comprehensive Plan v05 Final.pdf](https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland%202023%20Comprehensive%20Plan%20v05%20Final.pdf)

### **STANDARDS UPON WHICH REVIEW SHOULD BE TAKEN**

Section 9-9-2 of the Town's Zoning Code addresses the Planning Commission's role in evaluating amendments to the Code, including Map Amendments. Subsection B4 states that the Commission is to provide the Town Board with a written report that includes your recommendation, and reasons therefore including the findings of fact used to make your recommendation.

A copy of the standards to be used and some examples of how the Findings of Fact may be crafted are included in Exhibit D. Please keep in mind that these examples are suggestions only and are based upon information available at this time.

Additional information may be presented during the hearing process which may impact how these points are addressed.

### **PLANNING COMISSION ACTIONS**

Open the Public Hearing and accept any and all testimony related to the proposal. Once all testimony has been presented the Commission may close the hearing. After closing the hearing, the Commission may discuss the merits of the presented information, establish the Findings of Fact upon which decisions may be made and render a recommendation to the Town Board.

As this is a request to rezone property, the Planning Commission may recommend to either approve or deny the request (no conditions may be imposed upon the rezoning). It is important to note that any motion must be made as a positive statement. {I.E., "I make a motion to approve the request to rezone the 15,246 sq ft Transcend Properties property known as Lots 9, 10, 11, and 12 and adjacent half of vacated alley in Block 5 of the Original Village of Cortland from its present classification of R-1 with Special Use Permit to C-1."}

### **Deliberation**

Mr. Lawson asked Mr. Blazyk if he will be seeing a Liquor License. Mr. Blazyk responded he personally will not be. He will develop the property for use of others.

Mr. Barnhart asked, if approved, what will your next action be? Mr. Blazyk responded he would complete remodeling of the interior and create conceptual renderings of permitted uses.

With no more questions to be asked, Mr. Barnhart made a motion to close the public hearing, seconded by Mr. Haughee. Voice vote carried the motion. The Public Hearing closed at 7:50 p.m.

## Review Findings of Fact

Commissioners deliberated, discussed, and reviewed the findings of fact, which are as follows:

**a. Existing use(s) and zoning of the property in question.**

The subject property is improved with a one-story frame structure and asphalt parking lot. The current use of the structure is not confirmed. A change of use or certificate of occupancy has not been requested by the owner since the transfer of the property from the Methodist Church to Transcend Properties. The subject property is zoned R-1, Single Family Residence with Special Use Permit.

**b. Existing use(s) and zoning of other lots in the vicinity of the property in question.**

Except for a vacant lot owned by the petitioner to the northwest of the subject property, all adjacent land uses are single family residences located within an established neighborhood. All adjacent properties including across road right of way are zoned R-1 Single Family Residence.

**c. Suitability of the property in question for uses already permitted under existing regulations.**

Developing the property for residential use is appropriate as the Subject Property is in an established neighborhood adjacent to roadways and has access to existing utilities.

**d. Suitability of the property in question for the proposed use.**

The applicant intends to use the existing structure for commercial use. Developing the property for commercial use is appropriate as the site has existing adjacent roadways and utilities.

**e. The trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last rezoned.**

The Subject Property has been zoned R-1 since town records were kept. There have been no recent changes in zoning to the subject property. The use of the property has been for religious purposes since the construction of the building. The trend of development would be a continuation of the current zoning.

**f. The effect the proposed amendment would have on implementation of this Municipality's Comprehensive Plan.**

The proposed amendment would have an impact on the Town's ability to implement the Comprehensive Plan.

Mr. Barnhart made a motion to accept the findings of fact, seconded by Ms. Morken. Roll call vote carried the motion.

## Recommendation

Ms. Morken made a motion to recommend that the Town Board approve the rezoning from R-1 single family residence with a special use permit to C-1 Limited Retail Business; with a request to consider specific conditions, seconded by Mr. Barnhart. Roll call vote carried the motion.

## **New Business**

### **2024 Planning Commission Meeting Schedule**

Ms. Williams reviewed the 2024 planning commission dates with the commissioners. After brief discussion, Mr. Barnhart made a motion to change the July meeting from July 4, 2024, to July 11, 2024, seconded by Mr. Hedrick. Unanimous voice vote carried the motion.

### **Chair Report**

No report made.

### **Zoning Administrator Report**

No report made.

### **Adjournment**

Mr. Barnhart moved to adjourn, seconded by Ms. Morken. Voice vote carried the motion. Meeting adjourned at 8:37 p.m.

Next Planning Commission Meeting is January 4, 2024

Respectfully submitted,

Kaity Siewierski  
Deputy Clerk

## ADVISORY REPORT

**TO:** Planning Commissioners

**FROM:** Brandy Williams, Engineer and Zoning Administrator

**DATE:** December 20, 2023

**SUBJECT:** PC 23-02: Request to Rezone Property from R-1 Single Family Residence with a Special Use Permit to I-1 Light Industrial – East North Avenue, PIN 09-28-200-007 Cortland IL 60112  
Public Hearing scheduled for January 4, 2024, 7:00 PM

**APPLICANT/** Brandy Williams  
**OWNER:** Town of Cortland  
59 S. Somonauk Road, PO Box 519  
Cortland, IL 60112

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### PROPOSAL

The applicant has filed with the Town of Cortland a request for a map amendment of district boundaries in accordance with Title 9, Chapter 3 of the Cortland Town Code regarding property at East North Avenue, Cortland Illinois, PIN 09-28-200-007. The applicant is requesting rezoning of the subject property from R-1 with a Special Use Permit to I-1 Light Industrial. The petitioner's application is attached as Exhibit A.

### LOCATION AND DESCRIPTION

The 25.6 acre property is between East North Avenue and the Wastewater Treatment Plant (WWTP) on the south side of East North Avenue, east of the drive to the Wastewater Treatment Plant, PIN 09-28-200-007. The subject property is unimproved and is being used for row crops.

The Town intends to relocate the existing materials yard located near the west side of the WWTP to the subject property. This move facilitates ingress/egress ease as well as allows the west buildable parcel to be available for development. The relocated materials yard would occupy about 2 acres of the 25.6 acre parcel with the remaining continuing to be used for row crop. The subject property does not have available utilities at the present time.



*Existing and Surrounding Zoning:* The subject property and the property to the east are zoned R-1 Single Family Residence with Special Use Permit for the Planned Unit Development (PUD) overlay. Property to the west and south is zoned P-1 Recreation & Open Space. Property to the north, across North Avenue, is not annexed to the Town of Cortland.

An excerpt of the zoning map has been included as Exhibit B.

The 2022 Official Zoning Map can be found on the Town of Cortland website and at:

[https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland\\_Zoning\\_Map\\_2022.pdf](https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland_Zoning_Map_2022.pdf)

*Existing and Surrounding Land Uses:* The subject property and the lands to the east and north are used for agricultural purposes with row crop. The properties to the west and south comprise the Town of Cortland's wastewater treatment plant.

## BACKGROUND

The Town purchased the subject from DeKalb County in 2017. In 2020, the Town retained ownership in a settlement indicating a potential municipal need in the future.

The Town leases the property, and other town-owned tillable lands, as part of the cash farm Lease. The subject property is not served by water or sewer.

Staff has not located any variances that were granted for this property.

## COMPREHENSIVE PLAN

The Town adopted a Comprehensive Plan in September 2023, which guides development throughout the community. The Future Land Use Map associated with this document depicts this property as Single Family Residential use.

The proposed rezoning does not coincide with the Comprehensive Plan. Staff views granting rezoning as an expansion of a municipal use footprint.

Note: An excerpt of the Comprehensive Plan is attached as Exhibit C. The full Comprehensive Plan can be found on the Town of Cortland's website and at:

[https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland\\_2023\\_Comprehensive\\_Plan\\_v05\\_Final.pdf](https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland_2023_Comprehensive_Plan_v05_Final.pdf)

## STANDARDS UPON WHICH REVIEW SHOULD BE TAKEN

Section 9-9-2 of the Town's Zoning Code addresses the Planning Commission's role in evaluating amendments to the Code, including Map Amendments. Subsection B4 states that the Commission is to provide the Town Board with a written report, that includes your recommendation, and reasons therefore including the findings of fact used to make your recommendation. A copy of the standards to be used and some examples of how the Findings of Fact may be crafted are included in Exhibit D. Please keep in mind that these examples are suggestions only and are based upon information available at this time. Additional information may be presented during the hearing process which may impact how these points are addressed.

## PLANNING COMMISSION ACTIONS

Open the Public Hearing and accept any and all testimony related to the proposal. Once all testimony has been presented the Commission may close the hearing. After closing the hearing, the Commission may discuss the

merits of the presented information, establish the Findings of Fact upon which decisions may be made and render a recommendation to the Town Board.

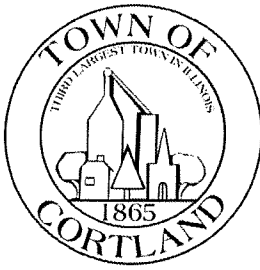
As this is a request to rezone property, the Planning Commission may recommend to either approve or deny the request (no conditions may be imposed upon the rezoning). It is important to note that any motion must be made as a positive statement. (I.E., “I make a motion to approve the request to rezone the 25.6 acre Town of Cortland property currently known as PIN 09-28-200-007 in the Town of Cortland from its present classification of R-1 with Special Use Permit to I-1.”)

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Brandy Williams", written in a cursive style.

Brandy Williams  
Engineer and Zoning Administrator

Exhibit A – Application for Rezoning Petition  
Exhibit B – Town of Cortland 2022 Official Zoning Map (Excerpt)  
Exhibit C – Town of Cortland Comprehensive Map (Excerpt)  
Exhibit D – Findings of Facts Example



Date Filed: 12/13/23  
 Job Number: N/A  
 PC Number: PC 23-02

## Submittal requirements for a Zoning Map Amendment

Name of Applicant: Brandy Williams/Town of Cortland Submittal Date: 12/13/2023  
 Name of Project: Town Material Yard

### Applicant

1. Completed Land Development Application, including ..... ☒
  - a. All of Part I of the application is complete, including, but not limited to: ..... ☒
    - i. Applicant/Contact information is provided
    - ii. Trust information, if appropriate, has been provided
    - iii. If Land Owner isn't the applicant, a notarized letter from the property owner granting the applicant permission to pursue the amendment
  - b. All of Part II of the application is complete, including, but not limited to: ..... ☒
    - i. Complete (not short) Legal Description of the property(ies) involved has been provided
    - ii. Parcel Identification Numbers have been provided
    - iii. Total acreage involved in the rezoning
    - iv. Current and proposed zoning has been noted
    - v. Proposed Land Use
    - vi. Identification of which Fire Protection and School District property is located within
  - c. Application has been signed, notarized and dated ..... ☒
2. Completion of financial obligation document provided by the Zoning Administrator ..... ☐ N/A
3. Submittal of application fees ..... ☐ N/A

### Number of documents to be provided

1 Original – paper                      3 Copies - paper  
 All documents must also be provided in a pdf format

*This document is being provided as a tool to help ensure that your application is complete.  
 No application will be processed unless it is deemed to be complete by the Zoning Administrator.  
 No application will be deemed to be complete until, at a minimum, all the items listed above have been provided.*



Date Filed: 12/13/23

Job Number: N/A

PC Number: PC 23-02

## LAND DEVELOPMENT APPLICATION

THE UNDERSIGNED RESPECTFULLY PETITIONS THE TOWN OF CORTLAND TO REVIEW AND CONSIDER GRANTING THE FOLLOWING APPROVAL ON THE LAND HEREIN DESCRIBED.

(Check all that apply)

- ☐ Annexation\*
 ☒ Rezoning from R-1 to I-1
- ☐ Text Amendment (attached proposed language)
- ☐ Special Use Permit for a:
 ☐ Planned Unit Development
 ☐ Other \_\_\_\_\_
- ☐ Planned Unit Development:
 ☐ Concept Plan
 ☐ Preliminary Development Plan
 ☐ Final Development Plan
- ☐ Subdivision Plat:
 ☐ Preliminary Subdivision Plat
 ☐ Final Subdivision Plat

\* Attach an original copy of the annexation petition to this application

PLEASE PRINT OR TYPE IN BLUE OR BLACK INK

### PART I. APPLICANT INFORMATION

APPLICANT	LAND OWNER (If not the Applicant)	CONTACT PERSON (If not the Applicant)
Name: Brandy Williams		
Company: Town of Cortland		
Address: 59 S. Somonauk Road, PO Box 519		
Cortland, IL 60112-0519		
E-mail: engineer@cortlandil.org		
Phone: 815-756-9041		

IS THE APPLICANT THE OWNER OF THE SUBJECT PROPERTY?

☒ YES

☐ NO

(If the Applicant is not the owner of the subject property, a notarized letter from the Owner authorizing the Applicant to file the **Land Development Application** must be attached to this application.)

IS THE APPLICANT AND/OR OWNER A TRUSTEE OR A BENEFICIARY OF A LAND TRUST?

☐ YES

☒ NO

(If the Applicant and/or Owner of the subject property is a Trustee of a land trust or beneficiary(ies) of a land trust, a disclosure statement identifying each beneficiary of such land trust by name and address and defining his/her interest therein shall be verified by the Trustee and shall be attached hereto.)

Date Filed:

12/13/23

PC Number:

PC 23-02

**Cortland Land Development Application****PART II. PROPERTY INFORMATION**

**ADDRESS OF PROPERTY:** East North Avenue

**PARCEL INDEX NUMBER(S):** 09-28-200-007

**LEGAL DESCRIPTION:** A FULL LEGAL DESCRIPTION MUST BE ATTACHED TO THIS APPLICATION

**TOTAL AREA OF SUBJECT PROPERTY(IES) (ACRES):** 25.60

**IF SUBDIVIDING, NUMBER OF LOTS BEING CREATED:** \_\_\_\_\_

**CURRENT ZONING:** R-1 **PROPOSED ZONING:** I-1

**RECOMMENDED LAND USE:** Single Family Residence  
(Based upon the recommendations of the Cortland Town Plan)

**PROPOSED LAND USE:** Public Institution

**NAME OF PROPOSED DEVELOPMENT:** Town Material Yard

**The subject property is located in which FIRE PROTECTION DISTRICT?** Maple Park Fire Protection District

**The subject property is located in which SCHOOL DISTRICT?** CUSD #403 - Kaneland

**Attach relevant checklist(s) and associated information as outlined during the pre-application meeting.** ☐

I, Brandy Williams, hereby apply for review and approval of this application and represent that the application and requirements thereof and supporting information have been completed in accordance with the Zoning Ordinance and/or Subdivision Ordinance of the Town of Cortland.

Brandy Williams  
Signature of Applicant

12/13/23  
Date

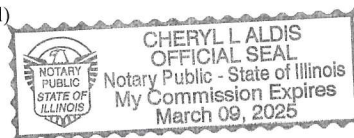
State of Illinois

County of DeKalb

Signed before me on December 13, 2023 by Brandy Williams  
Applicant

Cheryl L. Aldis  
Signature of Notary Public

(Seal)



All that part of the East One Half of Northeast Quarter of Section 28 lying Northerly of the Northerly Right of Way line of the Union Pacific Rail Road (Formerly the Chicago & Northwestern Railroad),

Excepting therefrom any portion lying in the following described tract: Beginning at the North Quarter Corner of Section 28; thence East along the North Line of the Northeast Quarter of Section 28, a distance of 1300 feet; thence South perpendicular to said North Line, a distance 1075 feet; thence East parallel with the North Line of the Northeast Quarter of Section 28, to a point that is 690 feet measured perpendicularly and Southwesterly from the centerline of the Natural Gas Pipeline Easement of Guardian Pipeline LLC; thence Southeasterly parallel to said centerline, to a point that is 325 feet measured perpendicularly and Northeasterly from the Right of Way of the Union Pacific Railroad (Formerly Chicago and Northwestern Railroad); thence Southwesterly perpendicular to said Right of Way, a distance of 325 feet to said Right of Way; thence Northwesterly along said Right of Way to the West line of the Northeast Quarter of Section 28; thence North along said West Line, a distance of 1396.71 feet, to the Point of Beginning,.

Also excepting therefrom any portion lying in the following described tract: Being a part of the Northwest Quarter and the Northeast Quarter of Section 27 along with the Northeast Quarter of Section 28 all in Township 40 North, Range 5 East of the Third Principal Meridian, County of DeKalb, State of Illinois described as follows: Beginning at the Northeast corner of said Northeast Quarter of Section 28; thence South 89 degrees 14 minutes 51 seconds West (assumed bearing) on and along the North line of said Northeast Quarter of Section 28, a distance of 251.66 feet; thence South 00 degrees 44 minutes 59 seconds East a distance of 1,074.02 feet; thence South 37 degrees 23 minutes 06 seconds East a distance of 792.29 feet; thence South 78 degrees 42 minutes 15 seconds East a distance of 2431.59 feet to a point on the East line of said Northwest Quarter of Section 27; thence North 00 degrees 29 minutes 27 seconds East on and along last named line, a distance of 484.18 feet to the Northwest corner of the South 58.5 acres of said Northeast Quarter of Section 27; thence North 89 degrees 47 minutes 05 seconds East on and along the North line of said 58.5 acres, a distance of 15.46 feet to the centerline of Union Ditch; thence on and along said centerline the following courses and distances, North 23 degrees 21 minutes 47 seconds East, a distance of 69.44 feet, North 01 degrees 58 minutes 06 seconds East, a distance of 229.43 feet, North 03 degrees 38 minutes 19 seconds East, a distance of 171.18 feet, North 28 degrees 16 minutes 18 seconds East, a distance of 149.73 feet, North 48 degrees 36 minutes 09 seconds East, a distance of 133.94 feet, North 67 degrees 23 minutes 43 seconds East, a distance of 113.89, North 73 degrees 47 minutes 40 seconds East, a distance of 157.69 feet, North 45 degrees 46 minutes 08 seconds East, a distance of 281.84 feet to a point in the centerline of Airport Road; thence North 45 degrees 25 minutes 29 seconds West on and along last named centerline, a distance of 725.52 feet; thence Northwesterly on and along said centerline a curved path concaved Northeasterly with an arc length of 178.32 feet, a radius of 2,283.71 feet, a chord bearing of North 43 degrees 44 minutes 29 seconds West and a chord distance of 178.28 feet; thence South 48 degrees 07 minutes 42 seconds West, a distance of 37.64 feet to a point 10 feet normally distant to the East line of said Northwest Quarter of Section 27; thence South 00 degrees 29 minutes 27 seconds West on and along a line 10 feet normally distance and parallel to said East line of the Northwest Quarter of Section 27, a distance of 860.98 feet; thence South 89 degrees 58 minutes 09 seconds West, a distance of 585.00 feet; thence North 00 degrees 29 minutes 27 seconds East, a distance of 980.00 feet to a point on the North line of said Northwest Quarter of Section 27; thence South 89 degrees 57 minutes 36 seconds West on and along last named line, a distance of 2,071 .68 feet to the Point of Beginning.

All situated in Township 40 North, Range 5 East, of the Third Principal Meridian, the County of DeKalb and the State of Illinois.



Map Context

Categories

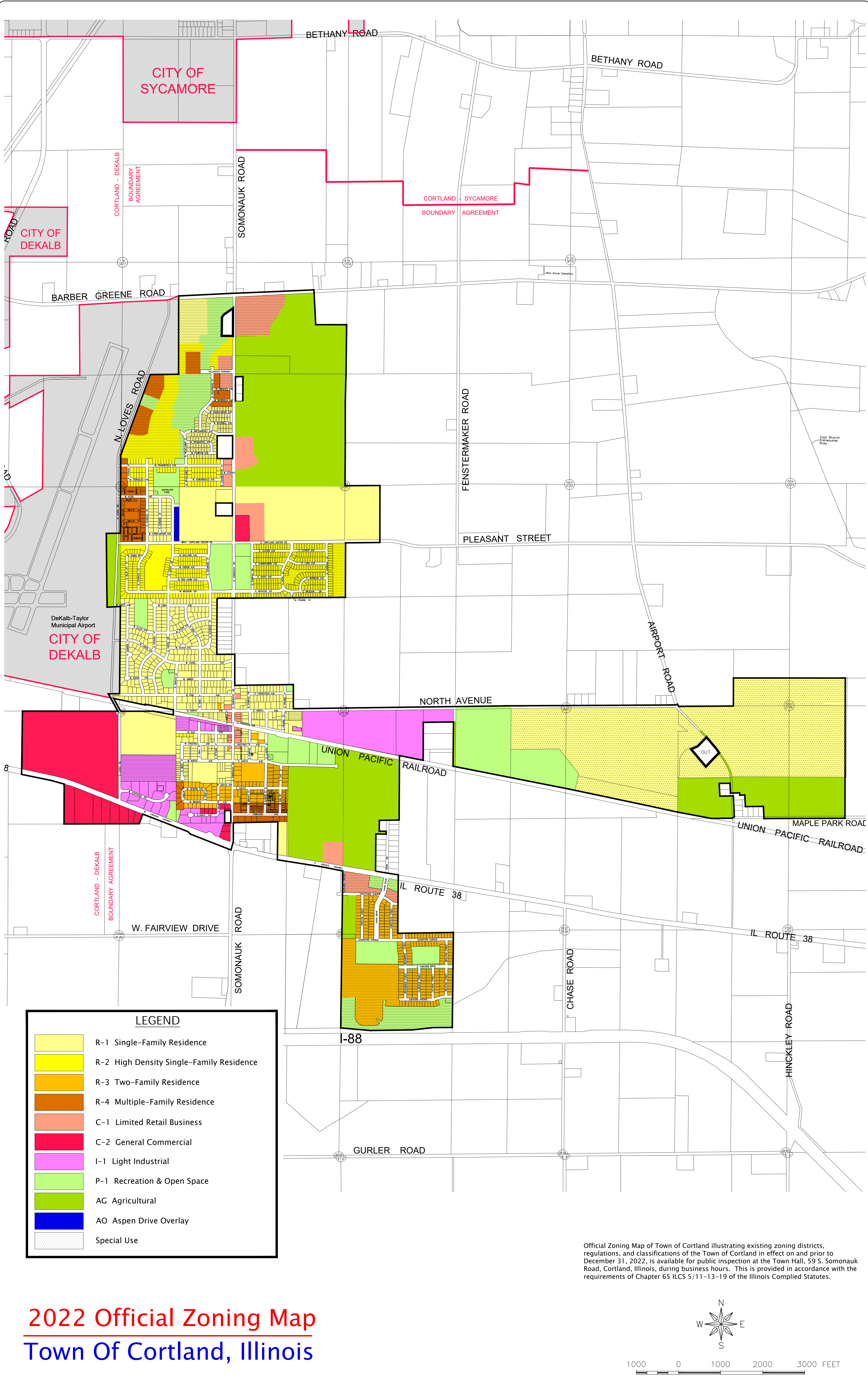
- Aerials
- Base Map
- Census Blocks
- Enterprise Zone
- Fiber
- Political Areas
- Sex Offender Info
- Soils
- Topography

Settings

Overview









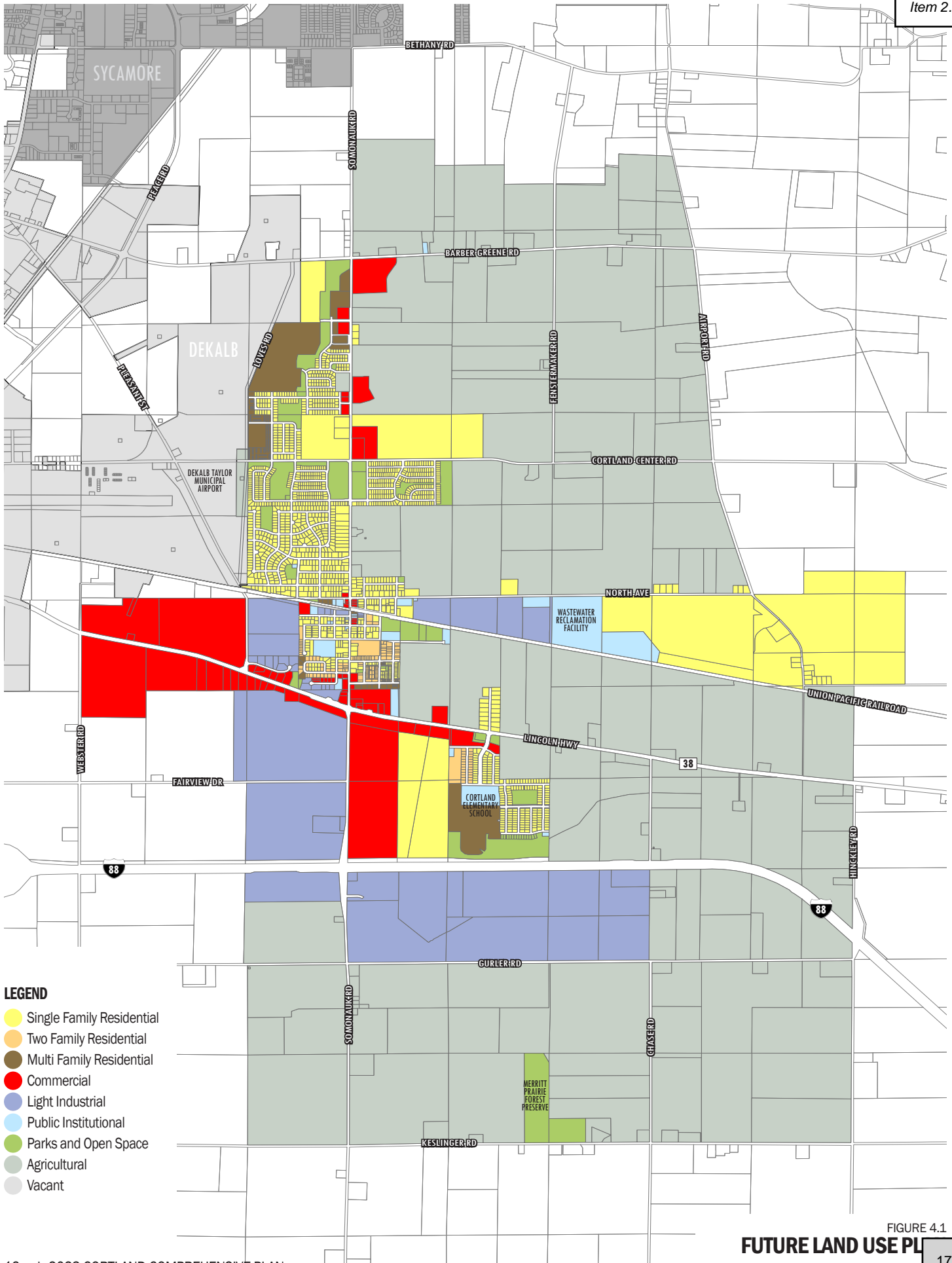


FIGURE 4.1  
FUTURE LAND USE PL

## Findings of Fact Example

### **a. Existing use(s) and zoning of the property in question.**

The Subject Property is unimproved, used for agricultural purposes which is a legal non-conforming use in the R-1 Single Family Residence with a Special Use Permit (SUP) for the Planned Unit Development (PUD) overlay.

### **b. Existing use(s) and zoning of other lots in the vicinity of the property in question.**

The lands to the east and north, across North Avenue, are unimproved, used for agricultural purposes. The property to the west and south consist of the Town's wastewater treatment plant with a building, equipment, and dams to facilitate operations.

The land to the east of the subject property is also zoned R-1 Single Family Residence with a Special Use Permit (SUP) for the Planned Unit Development (PUD) overlay. The property to the north, across North Avenue, is not annexed to the Town. The lands to the south and west are zoned P-1 Recreation and Open Space.

### **c. Suitability of the property in question for uses already permitted under existing regulations.**

Developing the property for residential purposes is appropriate. No infrastructure exists to support such a purpose. An entire network of roads and utilities would need to be constructed to serve any residential development. Proximity to a wastewater treatment plant could be considered less desirable.

### **d. Suitability of the property in question for the proposed use.**

The applicant intends to use the property as a relocated materials yard. The property is suitable for the proposed use due to lack of nearby structures and the compatible adjacent uses. The existing road and driveway will provide any required infrastructure needs.

### **e. The trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last rezoned.**

The Subject Property has been zoned R-1 Single Family Residence with SUP since 2004. There have been no recent changes in zoning or use adjacent to the subject property.

### **f. The effect the proposed amendment would have on implementation of this Municipality's Comprehensive Plan.**

Approval of the rezoning request would be a deviation from the Future Land Use Map included in the Comprehensive Plan. However, the granting of the request would permit an expanded footprint of an immediately adjacent municipal use.