

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

**4653**

*Received Date*

**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.**

<b>1. Property Information:</b>	<b>Parcel Number (s):</b>  12-06-400-013-0000
	<b>Street Address (or common location if no address is assigned):</b> 1N016 Peck Road, Geneva, IL 60134

<b>2. Applicant Information:</b>	<b>Name</b> Weiss Commercial Properties, LLC c/o Craig Weiss, Manager	<b>Phone</b> 630-432-4100
	<b>Address</b> 165 Easy Street Carol Stream, IL 60188	<b>Fax</b> 630-313-2780
		<b>Email</b> craigw@weisslawnandsnow.com

<b>3. Owner of record information:</b>	<b>Name</b> Weiss Commercial Properties, LLC c/o Craig Weiss, Manager	<b>Phone</b> 630-432-4100
	<b>Address</b> 165 Easy Street Carol Stream, IL 60188	<b>Fax</b> 630-313-2780
		<b>Email</b> craigw@weisslawnandsnow.com

**Zoning and Use Information:**

2040 Plan Land Use Designation of the property: Agriculture

Current zoning of the property: F

Current use of the property: Residence, grain farming

Proposed zoning of the property: F-2 The existing residential structure is intended to be used for residential purposes for employees who would live on the Subject Property.

Proposed use of the property: Grain farming & production; Illinois Dept. of Agriculture licensed lawn treatment service

If the proposed Map Amendment is approved, what improvements or construction is planned? (An accurate site plan may be required)

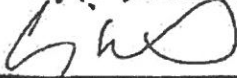
Structural and cosmetic improvements are planned to be made to some of the existing structures.

No new construction is currently planned.

**Attachment Checklist**

- Plat of Survey prepared by an Illinois Registered Land Surveyor.
- Legal description
- Completed Land Use Opinion (Available in pdf form at [www.kanedupageswed.org/luo.ndi](http://www.kanedupageswed.org/luo.ndi)), 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 <http://dnr.illinois.gov/ecopublic/>) to be filed with the Illinois Department of Natural Resources. (\* This report may best be accessed with Internet Explorer on some computers, per the State)
- List of record owners of all property within 250 feet of the subject property
- Trust Disclosure (if applicable)
- Findings of Fact Sheet
- 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

12/5/2024

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant or Authorized Agent

\_\_\_\_\_  
Date

## 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.*

Weiss Commercial Properties LLC  
*Name of Development/Applicant*

12/5/2024,  
*Date*

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

The use is not being proposed to change. The existing use of the property is similar to surrounding uses. No structural changes to the farmstead/business and, therefore, the property would remain consistent with prior uses.

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

RR, B1, R1, F

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

As the Applicant owns and operates a business with direct licensing through the Illinois Department of Agriculture, the use is consistent with the zoning district being requested.

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

The property to the east and south is fully developed. The property to the west and north is dedicated open space maintaining the farmstead use on the subject property.

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

The projected use is not inconsistent with the farming classification.

# Findings of Fact Sheet – Special Use

Special Use Request 12/5/2024  
Date

- *The Kene 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.  
The existing and proposed use is consistent with the surrounding agricultural uses. No changes to the existing farmstead are contemplated. The Applicant's business maintains organic based fertilizer on site with other horticultural based material consistent with the F-2 zoning District and needs no outdoor storage. As it is an agricultural use, there is no detrimental effect to the public health, safety or welfare.

7. Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity.  
The use is entirely consistent with the F-2 zoning classification. The aesthetic improvements and the exceptional care taken by the Owners to maintain the property will benefit the use, enjoyment and value of the property in the immediate vicinity.

8. Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property.  
The property to the east and south are fully developed. The property to the west and north are dedicated open space and farm land. Maintaining the agricultural use and the farmstead on the property operates as an appropriate transition from developed land to open space farm land and enhances the orderly development and improvement of the surrounding property.

9. Will adequate utility, access roads, drainage and other necessary facilities be provided? Please explain:  
A dedicated driveway and access road currently exist and provide seamless ingress and egress to the property without interfering with ingress or egress to any of the surrounding properties.

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

Adequate measures for ingress and egress existed at the time the Applicant acquired the property in the form of a specially designated access road and driveway and independent of the Keslinger Peck signaled intersection thus minimizing any traffic or congestion that could be attributable to the use of this property.

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

The existing and proposed use is intended for agriculturally related sales and services. Weiss Lawn Care is a locally owned and operated full service ground maintenance lawn care licensed lawn fertilizing applicator and operator uniquely meeting the intent and requirements of the F-2 District.

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Weiss Commercial Properties, LLC

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

**Special Information:** The petitioner is seeking a rezoning to bring his landscaping business on the property into conformance with the Zoning Ordinance. No new buildings will be constructed. Structural and cosmetic improvements will be made to some of the buildings. The existing home will be occupied by someone related to the business who will monitor the property.

**Analysis:** The Kane County 2040 Land Use Plan designates this area as Countryside Estate Residential. The gross density should not generally exceed an average of one dwelling unit per four acres of land.

**Comments received regarding this petition as of December 30, 2024:**

1. From the Kane County Water Resources Department - STIPULATION: Impervious area has been added to the site. A Stormwater Permit will be required to bring the site into conformance with the Kane County Stormwater Ordinance. The site appears to be below the threshold for Stormwater Detention. All impervious area added since June 2019 will require a BMP to treat 1 inch of runoff. Detention will be triggered at 25,000 sq ft of impervious added cumulatively since 2002.

**Staff recommended findings of fact:**

1. The rezoning will bring the existing landscaping into conformance with the Zoning Ordinance.

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

## Weiss Commercial Properties LLC

165 Easy Street  
Carol Stream, IL 60188  
(630) 432-4110  
[craigw@weisslawnandsnow.com](mailto:craigw@weisslawnandsnow.com)

January 19, 2024

**Via Email: [berkhoutkeith@co.kane.il.us](mailto:berkhoutkeith@co.kane.il.us)**

Keith Berkhout  
Kane County Zoning Planner  
Kane County Development Department  
719 S. Batavia Avenue  
Geneva, IL 60134

Re: Weiss Lawn Care and Weiss Services, Inc.  
1N016 Peck Road, Geneva, IL  
Our File No.: G34638

Dear Keith:

In response to your request for background information, I am providing a narrative explanation of what we do. We are a lawn treatment service licensed through the Illinois Department of Agriculture. We have been servicing the Chicago Western Suburbs and Kane County since 1994. We are a locally owned and operated service business. We have approximately forty-five employees, with five locations, two in Carol Stream, one in West Chicago, one in St. Charles, and then, of course, this one in Geneva. At any given time, we service about 19,000 homes around the Western Suburbs and are passionate about providing the very best lawn service, focused on organic-based fertilizer, excellent local customer service and experience, to our customers and communities. In addition, we maintain approximately nineteen acres of tillable farmland to help provide food and resources to our communities as well.

Attached to this narrative is the site plan identifying the use of each structure. Roughly eight pickup trucks operate out of this facility on a daily basis, mostly on the weekdays but occasionally on Saturdays and very rarely on Sundays. During the spring and fall for about a month we will have four or so small 12-foot trailers that will go out behind the pickup trucks to provide cultivation services to our customers. Our material list will be mostly comprised of our Organic Based Fertilizer which comes prebagged from our local supplier, very high-quality seed blends, and some weed control and pest control products.

Sincerely,

*Craig Weiss*

## **Berkhout, Keith**

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**From:** Dawn Jones <dawn@hmcpc.com>  
**Sent:** Wednesday, September 18, 2024 1:43 PM  
**To:** VanKerkhoff, Mark; Berkhout, Keith  
**Cc:** Kate McCracken  
**Subject:** EX: Weiss Lawn Care/Weiss Commercial Properties LLC: 12-06-400-013  
**Attachments:** 9.6.23 Submittal.pdf; Ltr to Kane County.pdf

Dear Keith and Mark:

With respect to the third topic of discussion on Monday the 23<sup>rd</sup>, I am resubmitting the original submittal for my client, Weiss Commercial Properties LLC and Weiss Lawn Care, as it relates to their facility at 1N016 Peck Road, Geneva, Illinois. In addition, I am enclosing the narrative that was provided in January as well as the answer to a host of your questions. First, you had asked where Craig intends to keep the mechanical equipment. The mechanical equipment is kept in various buildings, including buildings 4, 5, 6, 7 and 8. Weiss Lawn Care does not do truck or vehicle maintenance on site. All vehicle maintenance and truck maintenance is done off site. There is intended to be no snow removal activity and, therefore, there are no snow removal trucks or equipment nor is snow removal part of the business plan to be run out of this property. They have no current plans to operate the property as a nursery. At one point you had an overhead photo that appeared to show outdoor storage of materials, however, the lawn care operation does not have outdoor storage. They do not store mulch, firewood or dirt that would be for sale or use of customers. If there is some temporary outdoor storage of materials, it is typically with respect to maintenance of the grounds. As you can see from just simply driving by, the property is kept in remarkably pristine condition and, therefore, the owners take great care in maintaining the property. Finally, you asked about signage. While my client is interested in the potential installation of a sign on the front gate, there are no current plans for any additional signage other than what currently exists at the property. I look forward to discussing this further with you and Craig Weiss on Monday.

Sincerely,  
Kate L. McCracken

By: *Dawn L. Jones*  
Assistant to Kate L. McCracken  
Hoscheit, McGuirk, McCracken & Cuscaden, P.C.  
1001 East Main Street, Suite G  
St. Charles, Illinois 60174-2203



## MEMORANDUM

**To:** Keith Berkhout  
**From:** Kate McCracken  
**Date:** December 19, 2024  
**Re:** 1N016 Peck Road, Geneva, IL

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Pursuant to your request, I am supplementing the original Submittal made on behalf of our client, Weiss Commercial Properties LLC and Weiss Lawn Care, with respect to their facility at 1N016 Peck Road, Geneva, Illinois to be added to their file.

First, you had asked where the mechanical equipment is kept. The mechanical equipment is kept in various buildings, including buildings 4, 5, 6, 7 and 8. Weiss Lawn Care does not do truck or vehicle maintenance on site. All vehicle maintenance and truck maintenance is done off site. There will be no snow removal activity and, therefore, there are no snow removal trucks or equipment nor is the snow removal business located at this site.

My clients have no plans to operate the property as a nursery. At one point you had an overhead photo that appeared to show outdoor storage of materials, however, the lawn care operation does not have, need or use outdoor storage. They do not store mulch, firewood or dirt that would be for sale or use of customers. If there is some temporary outdoor storage of materials, it is typically with respect to maintenance of the grounds. As you can see from just simply driving by, the property is kept in remarkably pristine condition and, therefore, the owners take great care in maintaining the property. Finally, you asked about signage. While my client is interested in the potential installation of a sign on the front gate, there are no current plans for any additional signage other than what currently exists at the property.

As I have previously indicated, this property is uniquely appropriate for the F-2 zoning district. As the intent of this district is to provide an appropriate location for agriculturally related sales and services, my client's use is entirely consistent with this intent. The residential structure on the property is occupied by an individual closely related to the business who is able to oversee the operation on a 24-hour basis. As the business continues to be challenged by individuals driving into and through the facility without permission or authority, it is important to have an individual there who can properly monitor random unauthorized entries. Finally, a small parking area west of Building No. 5 has been added to accommodate the ingress and egress of the Weiss Lawn Care trucks and employee parking. It is not visible on the black and white version of the Site Plan as it is in the shadows. Please let me know what else we can provide.

*Kate L. McCracken*

## LEGAL DESCRIPTION

For the premises commonly known as: 1N016 Peck Rd  
Geneva, Illinois 60134

Legal Description:

PARCEL 1:

THE EASTERLY 754.0 FEET OF THE SOUTHERLY 400.0 FEET OF THAT PART OF THE SOUTHEAST 1/4 OF SECTION 6 TOWNSHIP 39 NORTH RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING NORTHERLY OF THE RIGHT OF WAY OF THE UNION PACIFIC RAILROAD COMPANY (FORMERLY CHICAGO AND NORTHWESTERN RAILWAY COMPANY) IN THE CITY OF GENEVA AND IN GENEVA TOWNSHIP, KANE COUNTY, ILLINOIS, (EXCEPT PART DEEDED TO COUNTY OF KANE BY DEED DOCUMENT 1999K098763 DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 6; THENCE NORTHERLY ALONG THE EAST LINE OF SAID SECTION 6, ON AN ASSUMED BEARING OF NORTH 00 DEGREES 29 MINUTES 26 SECONDS EAST, A DISTANCE OF 42.66 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD COMPANY, AND THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 29 MINUTES 26 SECONDS EAST, CONTINUING ALONG SAID SECTION LINE, A DISTANCE OF 400.00 FEET TO A POINT ON THE NORTHERLY LINE OF THE SOUTHERLY 400.00 FEET OF THAT PART OF SAID SOUTHEAST 1/4 OF SECTION 6 LYING NORTHERLY OF THE NORTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD COMPANY; THENCE NORTH 84 DEGREES 03 MINUTES 39 SECONDS WEST ALONG SAID NORTHERLY LINE, A DISTANCE OF 112.41 FEET; THENCE SOUTH 10 DEGREES 45 MINUTES 10 SECONDS WEST, A DISTANCE OF 21.21 FEET; THENCE SOUTH 05 DEGREES 02 MINUTES 24 SECONDS WEST, A DISTANCE OF 377.10 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD COMPANY; THENCE SOUTH 84 DEGREES 03 MINUTES 39 SECONDS EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 146.25 FEET TO THE POINT OF BEGINNING).

PARCEL 2:

PERMANENT EASEMENT: THAT PART OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 6, THENCE NORTHERLY ALONG THE EAST LINE OF SAID SECTION 6, ON AN ASSUMED BEARING OF NORTH 00 DEGREES 29 MINUTES 26 SECONDS EAST, A DISTANCE OF 442.66 FEET TO A POINT ON THE NORTHERLY LINE OF THE SOUTHERLY 400.00 FEET OF THAT PART OF SAID SOUTHEAST QUARTER OF SECTION 6 LYING NORTHERLY OF THE RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD COMPANY; THENCE NORTH 84 DEGREES 03 MINUTES 39 SECONDS WEST ALONG SAID NORTHERLY LINE, A DISTANCE OF 112.41 FEET TO THE POINT OF BEGINNING; THENCE NORTH 84 DEGREES 03 MINUTES 39 SECONDS WEST CONTINUING ALONG SAID NORTHERLY LINE, A DISTANCE OF 50.18 FEET; THENCE NORTH 10 DEGREES 45 MINUTES 10 SECONDS EAST, A DISTANCE OF 80.91 FEET; THENCE NORTH 01 DEGREES 30 MINUTES 42 SECONDS EAST, A DISTANCE OF 288.65 FEET; THENCE SOUTH 88 DEGREES 29 MINUTES 18 SECONDS EAST, A DISTANCE OF 50.00 FEET; THENCE SOUTH 01 DEGREES 30 MINUTES 42 SECONDS WEST, A DISTANCE OF 292.70 FEET; THENCE SOUTH 10 DEGREES 45 MINUTES 10 SECONDS WEST, A DISTANCE OF 80.74 FEET TO THE POINT OF BEGINNING, ALL IN THE TOWNSHIP OF GENEVA, KANE COUNTY, ILLINOIS.

This instrument was prepared by:  
Alan Garrow  
Nealis & Garrow, P.C.  
2s889 Red Oak Drive  
Elburn, IL 60119

Send subsequent tax bills to:  
Weiss Commercial Properties, LLC  
1N016 Peck Rd  
Geneva, IL 60134  
165 EASY ST  
CAROL STREAM, IL 60188

Mail recorded document to:  
Weiss Commercial Properties, LLC  
1N016 Peck Rd Geneva  
Illinois 60134  
JUDITH NOSCHETT  
1001 E. MAIN ST. STE G  
ST. CHARLES IL 60174





**Tillable Land**

**Building #1**  
Property Managers Reside

**Building #5**  
Material Storage

**Building #4**  
Storage and Tool Shed

**Building #2**  
Storage

**Building #3**  
Operations

**Building #6**  
Maintenance

**Building #7**  
Operations

**Building #8**  
Storage

**Hoop House #1**  
Material Storage

**Hoop House #2**  
Material Storage

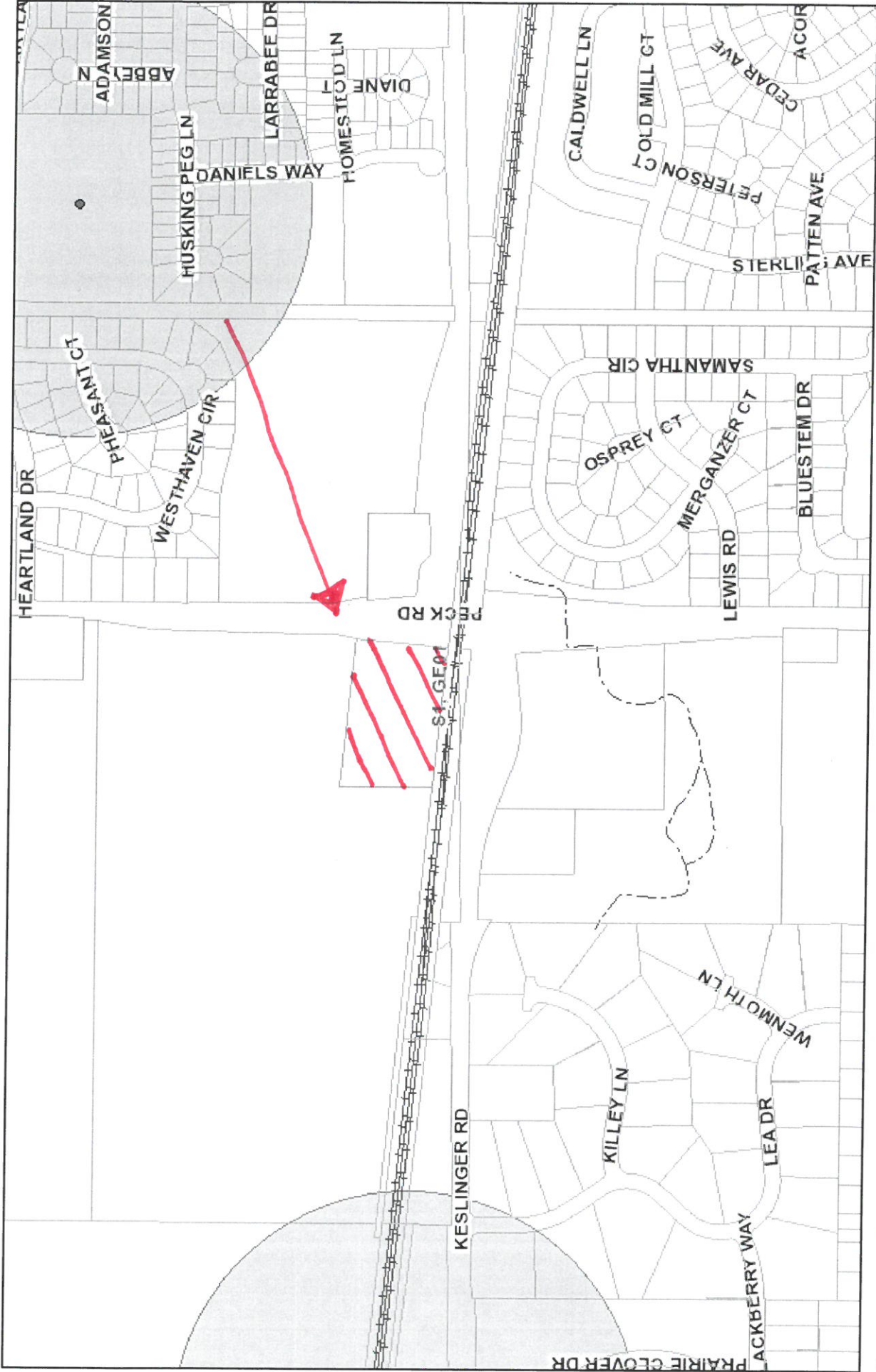
Map Title



December 12, 2024

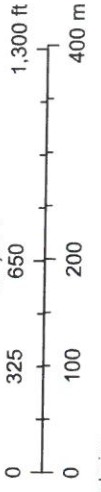


# Map Title



December 12, 2024

1:7,077



GIS-Technologies

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.

GIS-Technologies  
Kane County Illinois

*Applicant:* Craig Weiss  
*Contact:* Craig Weiss  
*Address:* 165 Easy Street  
Carol Stream, IL 60188

*IDNR Project Number:* 2211368  
*Date:* 03/29/2022

*Project:* Weiss CP, Peck Rd.  
*Address:* 1n016 Peck Rd., Geneva

*Description:* Changing zoning from F to F2

### Natural Resource Review Results

#### Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

**Consultation is terminated.** This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary. Termination does not imply IDNR's authorization or endorsement.

#### Location

The applicant is responsible for the accuracy of the location submitted for the project.

*County:* Kane

*Township, Range, Section:*  
39N, 8E, 6



**IL Department of Natural Resources**  
**Contact**  
Kyle Burkwald  
217-785-5500  
Division of Ecosystems & Environment

**Government Jurisdiction**  
Kane County  
Craig Weiss  
165 Easy Street  
Carol Stream, Illinois 60188

#### Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

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1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

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