



**COMMUNITY DEVELOPMENT DEPARTMENT**  
110 E. Sycamore St., 4<sup>th</sup> Floor  
Sycamore, IL 60178  
(815) 895-7188  
www.dekalbcounty.org

## Farm Residence Reconstitution Application

### Basic Criteria:

- A 40-acre (or greater) A-1 parcel with a farm residence. If the parcel is greater than 40 acres, the applicant will need to designate the 40-acre portion that will compose the parcel to be affected.

### Other Applicable Conditions:

- If the originating zoning lot is less than forty (40) acres, the petitioner must submit three (3) copies of official governmental documentation (such as tax records, recorded plats, permits, etc.) demonstrating that the existing farm residence was constructed prior to January 1, 1998, or replaced one constructed prior to January 1, 1998.
- If the existing farm residence was constructed after October 21, 2020, three (3) copies of one of the following items must be submitted:
  - If the farm residence zoning lot is to be retained by the current owner of the originating lot, the Retention of Ownership Affidavit must be filled out (sample template attached);
  - If the farm residence zoning lot is to be sold, or transferred, to a person who is an ancestor or lineal descendant of the current owner, or to the spouse of an ancestor or lineal descendant of the current owner, Transfer to Relative Affidavit must be filled out (sample template attached);
  - If the farm residence zoning lot is to be sold or transferred to any other person or entity, a copy of a plumbing certificate for the farm residence issued by a licensed plumber pursuant to state regulation, dated no sooner than two (2) years prior to the application for the subdivision.

### Required Submittals:

- A signed and completed application form.
- Three (3) original copies of a signed and stamped Plat of Survey depicting the subdivision by an Illinois licensed surveyor. (A listing of required elements is included with this form.)

### What Happens Next?

Upon submittal of a completed application, the application will be forwarded to the DeKalb County Plat Officer for review and approval. If the application is found to meet the requirements of Section 4.02.D.2 of the DeKalb County Zoning Ordinance, the Plat officer will sign and stamp the three (3) plats. The one plat, and a set of any required documentation, will be retained for the files of the Community Development Department. The Applicant will be contacted by staff and arrangements made for them to meet staff at the office of the DeKalb County Recorder, where the applicant will record the second plat, and a set of any required documentation. (All fees associated with recording said documents is to be paid for by the applicant.) The final plat, and set of any required documents, will be returned to the applicant at that time.



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## FARM RESIDENCE RECONSTITUTION APPLICATION

### Property Information

Owner(s) Name (as depicted on current property deed):  
\_\_\_\_\_

Parcel Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Parcel's Farm Residence Address: \_\_\_\_\_

City: \_\_\_\_\_, IL Zip \_\_\_\_\_

Date farm residence was built: \_\_\_\_\_

Did the existing farm residence replace one built prior to January 1, 1998? Yes  No

### Property Owner Contact Information

Property Owner: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_ T: \_\_\_\_\_

Is the property owner serving as the primary contact for this application? Yes  No

If no, please complete the Statement of Authorization and complete the Primary Contact section below.

### Statement of Authorization *(Must be signed when primary contact is not the property owner)*

I hereby authorize \_\_\_\_\_ (Primary Contact) to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application. This person will act on my behalf as the point of contact for official correspondence.

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Primary Contact/Attorney Information (optional)

*This section required only if primary contact is different than the property owner*

Primary Contact: \_\_\_\_\_

Company Name (if any): \_\_\_\_\_

Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email: \_\_\_\_\_ T: \_\_\_\_\_



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## **Plat of Survey Requirements:**

The Farm Residence Reconstitution (4.02.D.2-split) application must be accompanied by three (3) signed and stamped original copies of a plat of survey of the original zoning lot, which also depicts all of the following:

- a. The entirety of the original zoning lot being subdivided,
- b. The new zoning lot containing the existing farm residence,
- c. The new zoning lot containing the non-buildable area,
- d. ALL structures and uses existing on the subject property shown and clearly identified as to their use (no existing residence are to be located within areas designated as “non-buildable”),
- e. The distance of existing structures from all new property lines (The new property lines must be setback at least twenty (20) feet from all existing structures.),
- f. The width of the farm residence zoning lot at the fifty (50) foot front setback line. (The minimum required width of the farm residence zoning lot at the front setback line being at least two hundred (200) feet.),
- g. The following text block (adjusted as necessary to encompass all the owners as named on the deed(s) of the zoning lot being subdivided). This text block must contain the dated signature(s) of the owner(s) prior to the review and approval by the Plat Officer.

*“Owner’s Affirmation: I affirm that I(we) am(are) the owner(s) of the properties depicted on this plat, and approve and agree to the subdivision as depicted on this plat, and to the designation of the resultant farm residence zoning lot, and to the designation of the balance of the zoning lot as “non-buildable”, as defined in Article 2: Definitions of the DeKalb County Zoning Ordinance. I also affirm that I(we) am(are) aware that the farm residence zoning lot is subject to the provisions of the Farm Nuisance Suit Act (740 ILCS70/1 et seq.).*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(Name(s) of the property owner, as depicted on the current property deed)

1. If the submission is for a reconfiguring of an existing farm residence zoning lot or the non-buildable zoning lot associated with a recorded Farm Residence Reconstitution (4.02.D.2-split), this Owner’s Affirmation text block must contain the names, and signatures, of the owners of all parcels affected by this reconfiguration.



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h. The following text block is to be included:

*“Approved per Section 4.02.D.2 of the DeKalb County Zoning Ordinance, this division of a \_\_\_\_ acre zoning lot (Parcel 1A), including an existing farm residence, from a forty (40) acre zoning lot (Parcel 1) in the A-1, Agricultural District. The balance of Parcel 1 (\_\_\_ acres) is a non-buildable zoning lot for future residences.*

*Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.*

\_\_\_\_\_  
*(Name of the current Plat Officer)  
DeKalb County Plat Officer”*

1. If the original zoning lot is less than forty (40) acres in area, but contains an existing farm residence constructed prior to January 1, 1998 or that replaced one that had been constructed prior to January 1, 1998, then the following text block is to be included instead:

*“Approved per Section 4.02.D.2 of the DeKalb County Zoning Ordinance, this division of a \_\_\_\_ acre zoning lot (Parcel 1A), including an existing farm residence constructed prior to January 1, 1998, or that replaced one constructed prior to January 1, 1998, from a \_\_\_ acre zoning lot (Parcel 1) in the A-1, Agricultural District. The balance of Parcel 1 (\_\_\_ acres) is a non-buildable zoning lot for future residences.*

*Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.*

\_\_\_\_\_  
*(Name of the current Plat Officer)  
DeKalb County Plat Officer*

# Retention of Ownership Affidavit

## (Sample Template)

“I, \_\_\_\_\_ (Printed name of the property owner(s), as depicted on the current property deed for the originating zoning lot), attest that I am the owner the farm residence located at \_\_\_\_\_ (full address of the existing farm residence), said farm residence having been constructed after October 21, 2020, and being situated on the zoning lot identified by the following Parcel Identification Number(s): \_\_\_\_\_. Said farm residence is being subdivided from the existing zoning lot onto a separate farm residence zoning lot (in accordance with Section 4.02.D.2 of the DeKalb County Zoning Ordinance), and the resulting farm residence zoning lot to be retained by \_\_\_\_\_ (Name of the property owner(s), as depicted on the current property deed for the originating zoning lot).

I, understand that should the farm residence zoning lot (identified above), be sold or transferred to anyone other \_\_\_\_\_ (Name of the property owner(s), as depicted on the current property deed for the originating zoning lot), then said farm residence zoning lot which has been created shall be considered an illegal nonconforming lot.

Owner’s Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed name(s) of the property owner, as depicted on the current property deed

Notary Public: \_\_\_\_\_

Signed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

# Transfer of Ownership to Relative Affidavit

(Sample Template)

"I, \_\_\_\_\_ (Name of the property owner, as depicted on the current property deed), attest that I am the owner the farm residence located at \_\_\_\_\_ (full address of the existing farm residence), said farm residence having been constructed after October 21, 2020, and being situated on the zoning lot identified by the following Parcel Identification Number(s): \_\_\_\_\_. Said farm residence is being petitioned to be subdivided from the existing zoning lot onto a separate farm residence zoning lot (in accordance with Section 4.02.D.2 of the DeKalb County Zoning Ordinance), and the resulting farm residence zoning lot to be sold(transferred) to \_\_\_\_\_ (name of the purchaser/recipient), who is the \_\_\_\_\_ (nature of relation to owner) of \_\_\_\_\_ (property owner).

I, understand that should the farm residence zoning lot (identified above), be sold(transferred) to anyone other the purchaser(recipient) identified above, then said farm residence zoning lot which has been created shall be considered an illegal nonconforming lot.

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed name(s) of the property owner, as depicted on the current property deed

Notary Public: \_\_\_\_\_

Signed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_