



COUNTY OF KANE

DEVELOPMENT & COMMUNITY SERVICES DEPARTMENT

Kane County Government Center
719 S. Batavia Ave, Geneva, IL 60134 - Building A | (630) 232-3485

ZONING PETITION SUMMARY

MTG DATE: February 24, 2026

TO: Kane County Zoning Board of Appeals

FROM: Natalie Zine, *Building & Zoning Division Manager*
P: 630-232-3494 | E: zinenatalie@kanecountyil.gov

SUBJECT: Zoning Petition No. 4679 ILSolar07 LLC (Hartmann 2)

GENERAL INFORMATION

APPLICANT

ILSolar07 LLC (Project Owner)
Horizon Solar Power LLC (Developer)

PROPERTY OWNER

Wayne and Susanna Hartmann

REQUESTED ACTION

A Special Use Permit in the F-Farming Zoning District to allow for the development of a Commercial Solar Energy Facility.

SUBJECT PROPERTY

Approximately 15 acres of property located at 45w502 Read Rd, Maple Park, Virgil Township, unincorporated Kane County, Illinois (PINs: 07-12-100-005 and 07-12-200-001)

KANE COUNTY BOARD DISTRICT

18 Rick Williams

PROJECT DESCRIPTION

Applicant is proposing a 1.5 megawatt, alternating current (MWac) community solar project, with associated battery energy storage system (BESS). See *'Project Narrative'* for more information.

SUBMITTAL DOCUMENTS

An application requesting the Special Use was received by the County on January 8, 2026. All received application documents for the Petition are available for review on the [Pending Zoning Petitions](#) page of the Kane County Website. See also *"Exhibit A" Zoning Petition No. 4679 Submittal Documents attached.*

PUBLIC NOTICE

A Notice Letter was sent to all adjacent property owners within 250' of the subject property on February 6, 2026. Notice was published in the Daily Herald newspaper on February 7, 2026. And a public hearing sign was posted on the subject property on February 6, 2026.

In addition to adjacent property owners, notice of this Petition was also sent to Kane County staff, Kane County Forest Preserve, Virgil Township Supervisor and Township Highway Commissioner, the Village of Virgil, the Village of Lily Lake, KDOT, School District 301, and the Elburn & Countryside Fire District.



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REVIEW & ANALYSIS

ZONING

The subject property is currently zoned F-Farming District and is bordered to the north, south, east, and west by additional F-Farming District.

Section 25-8-1-2 of the Kane County Zoning Ordinance provides that "Solar Utility" is a Special Use in the F-Farming District; Section 25-5-4-9 of the Zoning Ordinance stipulates the rules and regulations for Commercial Solar Facilities.

Per Section 25-5-4-9, the site plan for a commercial solar energy facility must meet the following criteria:

1. Occupied residential dwellings on nonparticipating properties shall be located no less than one hundred fifty (150) feet to the nearest point on the outside wall of the structure.
2. Boundary lines of participating property: none.
3. Boundary lines of nonparticipating property: fifty (50) feet to the nearest point on the property line of the nonparticipating property.
4. Public road rights-of-way: fifty (50) feet to the nearest edge of the public road right-of-way.
5. No component of a solar panel, cell or modules may exceed twenty (20) feet in height above the ground at full tilt.
6. Vegetative screening shall be provided for any part of the Commercial Solar Energy Facility that is visible to Non-participating Residence(s).
7. Landscaping screening shall be located between the required fencing and the property line of the participating parcel upon which the facility sits.
8. The vegetative screening shall include a continuous line of native evergreen foliage and/or native shrubs and/or native trees and/or any existing wooded area and/or plantings of tall native grasses and other native flowering plants.
9. A fence shall be installed around the perimeter of the facility area with a minimum height of eight (8) feet and not more than twenty-five (25) feet.

FUTURE LAND USE

The Kane County 2040 Plan recognizes solar power as an emerging source of renewable energy, but does not specify whether it is more or less suitable for particular land use areas.

The proposed installation falls within the Agriculture area of the Kane County 2040 Land Use Map. This land use category denotes areas that are well suited for production agriculture. The Plan recognizes that some areas designated for agriculture may not be suitable for farming. The southernmost quarter of the subject site is impacted by hydric soils, which could diminish the land's agricultural productivity.

The site falls within the land use jurisdiction of the Village of Virgil, which classifies the area as Agriculture / Open Space. It is not likely that the properties in question would be annexed by the Village of Virgil or another municipality within the near future. The site is about 1/2 mile from the Village of Lily Lake, but Virgil maintains planning jurisdiction per an adopted boundary agreement between the two municipalities.

MUNICIPALITIES

From the Village of Lily Lake: At this time, the Village of Lily Lake does not have any comments for Hartmann. (Email 02-19-2026)

From the Village of Virgil: The Virgil Village concern is the use of construction traffic on IC Trail. We are opposed to them using that road due to the weight of the vehicles and equipment and the damage it would cause and the costly repairs to do the repairs. We will not permit it and will need to look at how we can protect ourselves. (Email 02-19-2026)

FOREST PRESERVE

The Kane County Forest Preserve District did not have any comments (Email 02-02-2026).

SCHOOL DISTRICT

No comments received.



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TRANSPORTATION

The Kane County Department of Transportation (KDOT) reviewed this Petition and provided that, "The Petitioner shall obtain a road use agreement and temporary and final access permits from Virgil Township." (Email 01-27-2026)

ENVIRONMENTAL HEALTH

No comments received.

FIRE PROTECTION DISTRICT

Elburn & Countryside Fire District: Fire Marshall, Lisa Schopp had no comments (Email 01-28-26).

WATER RESOURCES

The Water Resources department reviewed the Zoning Petition and provides the following comments (Email 02-11-2026)

The Water Resources department recommends the following Stipulations of Approval:

1. (Water Resources) This site contains an unstudied Zone A Floodplain and depressional areas. A Base Flood Elevation for the Zone A Floodplain and the depressional areas will need to be determined by a licensed Professional Engineer. All panels will need to Flood Protected to 2 feet above the Base Flood Elevation. Survey and Engineering Study will be needed in this determination.
2. (Water Resources) Water Resources will require a stormwater permit for this development. All submittals must be prepared by Professional Engineer licensed in the State of Illinois.
3. (Water Resources) An Engineer's report will be required. Should the site introduce more than 25,000 sq ft of impervious area or more than 3 acres of disturbance, stormwater detention will be required. This impervious area is calculated cumulatively since 2002 for a site as per the Stormwater Ordinance. The Engineer's report must demonstrate that the peak flow for the site with the proposed development is not increased, stormwater detention may be required for the development to ensure this. Any required Stormwater Detention Management will require a viable outfall and may require off-site work.
4. (Water Resources) Should the site introduce more than 5,000 sq ft of impervious, a BMP will be required for all impervious surfaces.
5. (Water Resources) A calculation for disconnected impervious area, created by the panels, will be required. A Best Management Practice will be required to encourage infiltration of runoff within the site.
6. (Water Resources) The configuration of the solar panels shall be evaluated to identify any potential erosion concerns. Particular attention shall be given to erosion risks at the drip edges of the panels. Appropriate best management practices must be implemented to mitigate these risks. BMPs may include, but are not limited to, pre-seeding or pre-vegetation of the site prior to panel installation to establish ground cover and reduce soil displacement.
7. (Water Resources) A drain tile study will be required, including upstream and downstream tile systems that rely on the drain tiles within the site. Water Resources is looking for the protection of the tile system that is in place, including but not limited to replacement in kind and observation and cleanout structures.
8. (Water Resources) Plantings within the development will not interfere with drain tiles. Planting plan should address the placement of vegetation and trees with long root systems that can interfere with tile systems and cause off site issues including surcharged drain tiles and blow outs of the drain tile systems.
9. (Water Resources) Soil samples shall be taken every 5 years from the site and analyzed for physical, chemical, and biological properties to demonstrate the soil health within the solar installations.
10. (Water Resources) 80% vegetative coverage for plantings will be a requirement for the site.
11. (Water Resources) A Wetland Delineation will be required. The Wetland Delineation shall meet the requirements of the Ordinance as described in Article VII Section 9-169 Requirements for a Wetland Delineation. Any Wetland Impacts must be mitigated.
12. (Water Resources) Floodplain, Wetland, Compensatory Storage, BMPs and Stormwater Management must be placed in a Conservation or Drainage Easement.



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ADDITIONAL REPORTS & ANALYSIS

Results and recommendations from the Illinois Department of Natural Resources (IDNR) obtained through the Ecological Compliance Assessment Tool (EcoCAT) – *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. Therefore, consultation under part 1075 is terminated. Additionally, the Illinois Wetlands Inventory does not show wetlands within 250 feet of the project location. Therefore, the wetland review under Part 1090 is terminated.*

Resource Preservation Review from the Illinois State Historic Preservation Office (SHPO) – *The project area has a high probability of containing significant archeological resources. Structure are annotated within the project area on plat maps published in 1860, 1872, 1892, and 1904. As such, a Phase 1 archeological survey will be required. (Stipulation) A Phase I Archeological Survey shall be completed prior to issuance of any County permits when ground conditions allow the survey to take place, and revised documentation from the SHPO shall be submitted to the County for review.*

Natural Resources Inventory (NRI) Report from the Kane-DuPage Soil & Water Conservation District (SWCD) – *The LE value for this site is 32 and the SA value is 42 for a total LESA score of 74. This score represents Low Protection effort warranted.*

Results of any United States Fish and Wildlife Service's Information for Planning and Consulting environmental review – *There is a total of 3 threatened, endangered, or candidate species on this species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. There are no critical habitats within your project area under this office's jurisdiction. You are still required to determine if your project(s) may have effects on all above listed species.*

Executed Agricultural Impact Mitigation Agreement (AIMA) with the Illinois Department of Agriculture – Received with the Zoning Application.

The U.S. Army Corps of Engineers Chicago District – A full wetland delineation was performed on the property. No wetlands were located within the vicinity of the Project. Thus, consultation with the Corps is not required.

Documentation demonstrating avoidance of protected lands as identified by IDNR and the Illinois Nature Preserve Commission (INPC) – The solar facility will avoid all protected lands.

Copies of each of the complete reports listed above are provided on the Kane County website under the applicable petition number on the [Pending Zoning Petitions](#) page for further review.

PUBLIC COMMENT

Copies of any submitted public comments will be uploaded to the Kane County website under the applicable petition number on the [Pending Zoning Petitions](#) page.

No written public comment received as of 02-20-2026.



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RECOMMENDED STIPULATIONS (FULL LIST)

Should the Zoning Board of Appeals make a motion to recommend approval of this zoning request, staff recommends the following stipulations:

1. (Water Resources) This site contains an unstudied Zone A Floodplain and depressional areas. A Base Flood Elevation for the Zone A Floodplain and the depressional areas will need to be determined by a licensed Professional Engineer. All panels will need to Flood Protected to 2 feet above the Base Flood Elevation. Survey and Engineering Study will be needed in this determination.
2. (Water Resources) Water Resources will require a stormwater permit for this development. All submittals must be prepared by Professional Engineer licensed in the State of Illinois.
3. (Water Resources) An Engineer's report will be required. Should the site introduce more than 25,000 sq ft of impervious area or more than 3 acres of disturbance, stormwater detention will be required. This impervious area is calculated cumulatively since 2002 for a site as per the Stormwater Ordinance. The Engineer's report must demonstrate that the peak flow for the site with the proposed development is not increased, stormwater detention may be required for the development to ensure this. Any required Stormwater Detention Management will require a viable outfall and may require off-site work.
4. (Water Resources) Should the site introduce more than 5,000 sq ft of impervious, a BMP will be required for all impervious surfaces.
5. (Water Resources) A calculation for disconnected impervious area, created by the panels, will be required. A Best Management Practice will be required to encourage infiltration of runoff within the site.
6. (Water Resources) The configuration of the solar panels shall be evaluated to identify any potential erosion concerns. Particular attention shall be given to erosion risks at the drip edges of the panels. Appropriate best management practices must be implemented to mitigate these risks. BMPs may include, but are not limited to, pre-seeding or pre-vegetation of the site prior to panel installation to establish ground cover and reduce soil displacement.
7. (Water Resources) A drain tile study will be required, including upstream and downstream tile systems that rely on the drain tiles within the site. Water Resources is looking for the protection of the tile system that is in place, including but not limited to replacement in kind and observation and cleanout structures.
8. (Water Resources) Plantings within the development will not interfere with drain tiles. Planting plan should address the placement of vegetation and trees with long root systems that can interfere with tile systems and cause off site issues including surcharged drain tiles and blow outs of the drain tile systems.
9. (Water Resources) Soil samples shall be taken every 5 years from the site and analyzed for physical, chemical, and biological properties to demonstrate the soil health within the solar installations.
10. (Water Resources) 80% vegetative coverage for plantings will be a requirement for the site.
11. (Water Resources) A Wetland Delineation will be required. The Wetland Delineation shall meet the requirements of the Ordinance as described in Article VII Section 9-169 Requirements for a Wetland Delineation. Any Wetland Impacts must be mitigated.
12. (Water Resources) Floodplain, Wetland, Compensatory Storage, BMPs and Stormwater Management must be placed in a Conservation or Drainage Easement.
13. (Transportation) The Petitioner shall obtain a road use agreement and temporary and final access permits from Virgil Township.
14. (Zoning) Vegetative screening consistent with the Kane County Zoning Ordinance shall be provided for any part of the commercial solar energy facility that is visible to non-participating residence(s) and shall include at minimum a continuous line of evergreen trees with a minimum planting height of 5 feet and a maximum separation distance of 15 feet on center.
15. (Zoning) A Phase I Archaeological Survey shall be completed prior to issuance of any County permits when ground conditions allow the survey to take place, and revised documentation from the SHPO shall be submitted to the County for review.



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ZONING STANDARDS

Section 25-4-8-2 of the Kane County Zoning Ordinance provides Standards for Special Use Permits; responses to these Standards have been provided by the Petitioner with their Zoning Application. The Zoning Board of Appeals shall not recommend approval of a special use unless it finds:

- A. That the establishment, maintenance or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare;
- B. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
- C. That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
- D. That adequate utility, access roads, drainage and/or other necessary facilities have been or are being provided;
- E. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets and roads;
- F. That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the county board pursuant to the recommendations of the zoning board of appeals.

The Petitioner's responses to the Standards of a Special Use are available for review on the [Pending Zoning Petitions](#) page of the Kane County website.

DEVELOPMENT COMMITTEE

This Petition will be considered by the Development Committee at its meeting currently scheduled for **10:30 a.m., MONDAY, March 16, 2026** in the County Board Meeting Room, Building A, 2nd Floor, of the Kane County Government Center, 719 S. Batavia Ave., Geneva, Illinois. Persons in favor of or in opposition to this petition who wish to speak before the Development Committee should register to speak by submitting a [Request to Speak Form](#) on the Kane County website no later than 12:00pm on the day prior to the meeting.

KANE COUNTY BOARD

This Petition will be considered by the full Kane County Board at its meeting currently set for **9:45 a.m., Tuesday, April 14, 2026** in the County Board Meeting Room, Building A, 2nd Floor, of the Kane County Government Center, 719 S. Batavia Ave., Geneva, Illinois. Persons in favor of or in opposition to this petition who wish to speak before the County Board should register to speak by submitting a [Request to Speak Form](#) on the Kane County website no later than 12:00pm on the day prior to the meeting.

ATTACHMENTS

- Exhibit A - Zoning Petition No. 4679 Submittal Documents



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"Exhibit A" Zoning Petition No. 4679 Submittal Documents

[4679 01 Kane County Zoning Application \(01-08-2026\)signed.pdf](#)

[4679 02 Standards of a Special Use Permit Worksheet \(01-08-2026\)signed.pdf](#)

[4679 03 Project Narrative \(01-08-2026\).pdf](#)

[4679 04 Lease Agreement \(08-01-2024\)signed.pdf](#)

[4679 05 Plat of Survey \(11-20-2025\)signed.pdf](#)

[4679 06 Solar Equipment Manufacturer Specs.pdf](#)

[4679 07 Noise Analysis \(01-08-2026\).pdf](#)

[4679 08 Decommissioning Plan & Cost Estimate \(12-30-2025\).pdf](#)

[4679 09 Decommissioning Surety Draft.pdf](#)

[4679 13 Legal Description.pdf](#)

[4679 17 Geometric Site Plan \(12-22-2025\).pdf](#)

[4679 18 Landscape & Screening Plan \(12-22-2025\).pdf](#)

[4679 20 EcoCat Report & Consultation Letter \(11-17-2025\).pdf](#)

[4679 21 SHPO Letter \(12-15-2025\)survey required.pdf](#)

[4679 22 NRI Report \(12-16-2025\).pdf](#)

[4679 23 USFWS Letter \(11-17-2025\).pdf](#)

[4679 25 Executed AIMA Agreement \(01-02-2026\)signed.pdf](#)

[4679 27 Roadway Jurisdiction Approval Letter \(11-06-2025\).pdf](#)

[4679 28 Structural Engineer's Certificate \(12-29-2025\)signed.pdf](#)

[4679 29 FEMA 100-Year Floodplain Map \(07-17-2012\).pdf](#)

[4679 30 Level 1 Wetland Investigation \(12-05-2025\).pdf](#)

[4679 31 Topographical Map.pdf](#)

[4679 32 Preliminary Farmland Drain Tile Investigation \(01-08-2026\).pdf](#)

[4679 33 Preliminary Stormwater Management Report.pdf](#)
