

# **Zoning Petition No. 4684**

## **Davis Rezoning**

**Zoning Board of Appeals Meeting**  
**May 26, 2026 at 7:00pm**

**Kane County Board District – 09 Jennifer Abbatacola**



**KANE COUNTY, ILLINOIS**

ESTABLISHED JANUARY 16, 1836

# Petition Summary

## Applicant

Jennifer Davis

## Property Owner

The Jennifer L. Davis Trust

## Action Requested

Rezoning from R-1 District One Family Residential to F2-District Agricultural Related Sales, Service, Processing, Research, Warehouse and Marketing with a Special Use.

## Subject Property

40W702 Powers Road, Rutland Township (PIN 02-03-300-065)

## County Board District

09 - Jennifer Abbatacola

## Notice

The public hearing for this Petition was scheduled for May 26, 2026. A notice of public hearing sign was posted on the subject property on May 5, 2026. A notice letter was mailed to all adjacent property owners within 250' of the subject property on May 14, 2026. And notice was published in the Daily Herald newspaper on May 9, 2026.

## Reviews

In addition to adjacent property owners, notice of this Petition was also sent to Kane County technical staff, Rutland Township, the Kane County Regional Planning Commission, School District 300, the Huntley Fire Protection District and the Villages of Huntley, Gilberts, Carpentersville and Algonquin.

# Application Documents

All received application documents for the Petition are available for review on the [Zoning Petitions](#) page of the Kane County Website.

[00 Petitioner Presentation A \(02-27-2026\).pdf](#)

[01 Kane County Zoning Application Redacted.pdf](#)

[02 Standards Worksheet complete&signed.pdf](#)

[03 Project Narrative & Business Operations Information.pdf](#)

[04 Proof of Ownership & Trust Certification.pdf](#)

[07a Traffic Study \(01-19-2026\).pdf](#)

[07b Traffic Study \(04-24-2025\).pdf](#)

[14 Landscape & Screening Plan-Berm Plan \(09-10-2024\).pdf](#)

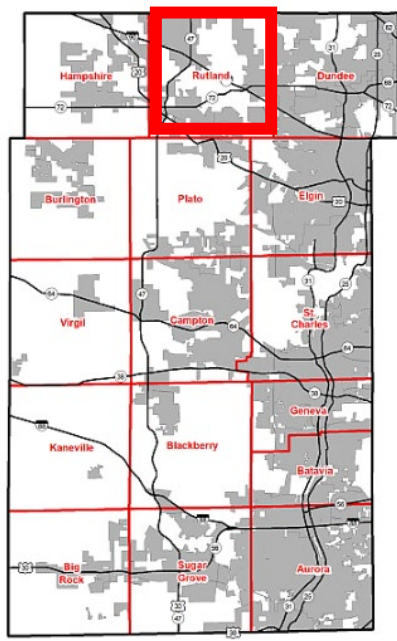
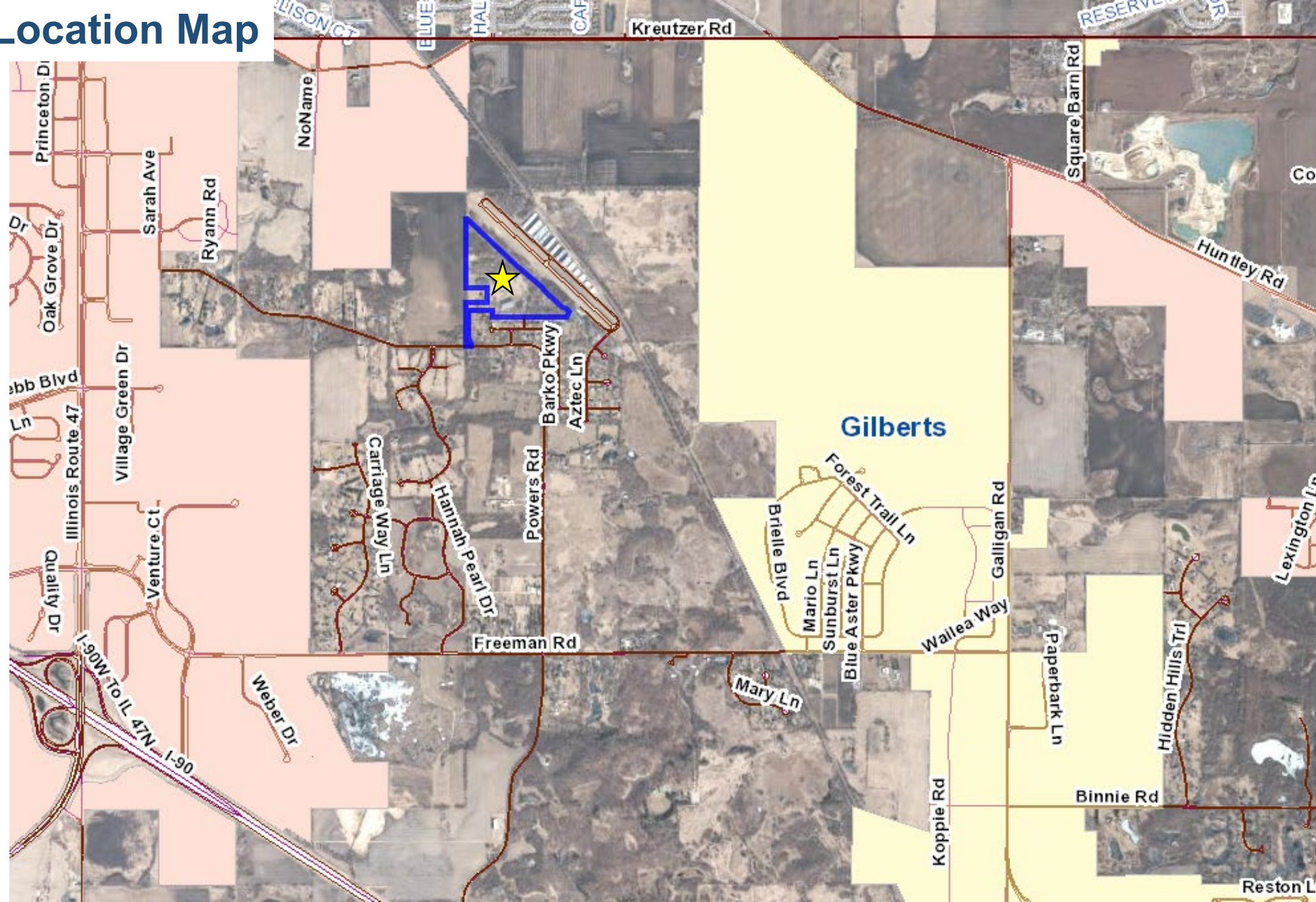
[16 EcoCAT Application \(04-21-2025\).pdf](#)

[17 NRI Application & Report Letter \(04-29-2025\).pdf](#)

[18 Septic System Plans \(03-22-2021\).pdf](#)

[19 Fire Truck Autoturn Exhibit.pdf](#)

# Location Map



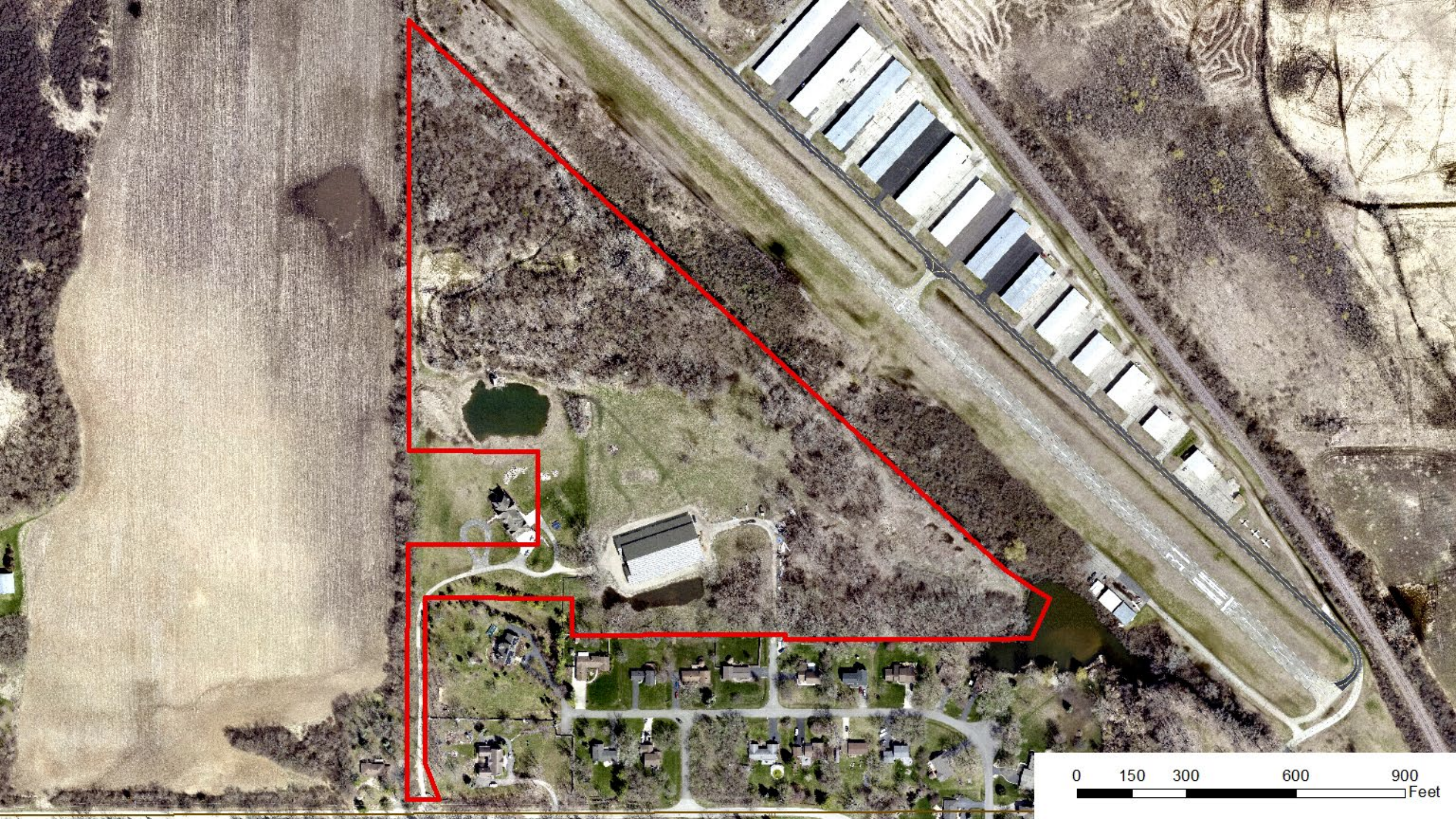
RUTLAND TOWNSHIP



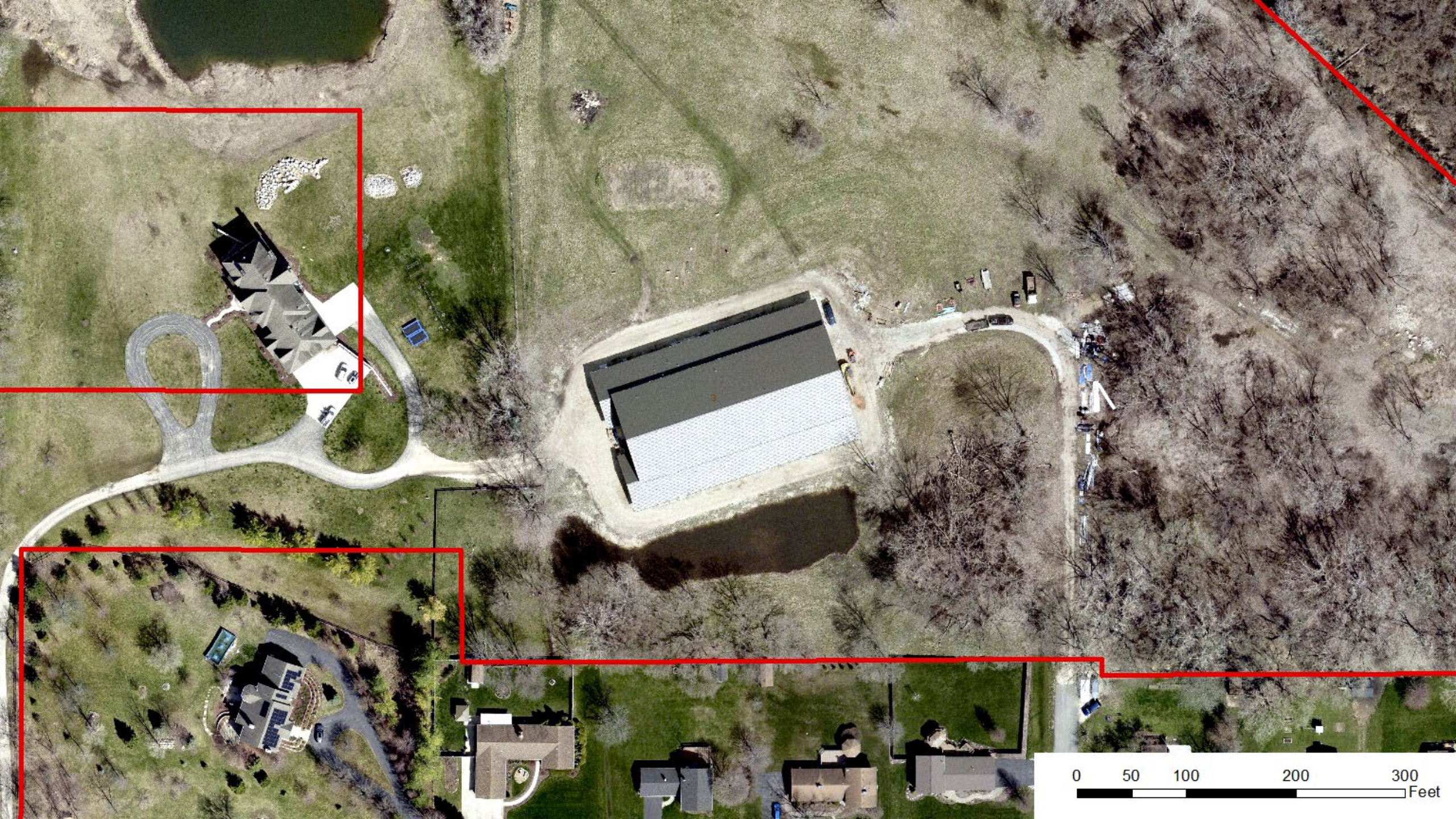
Huntley Rd



0 500 1,000 2,000 3,000 Feet

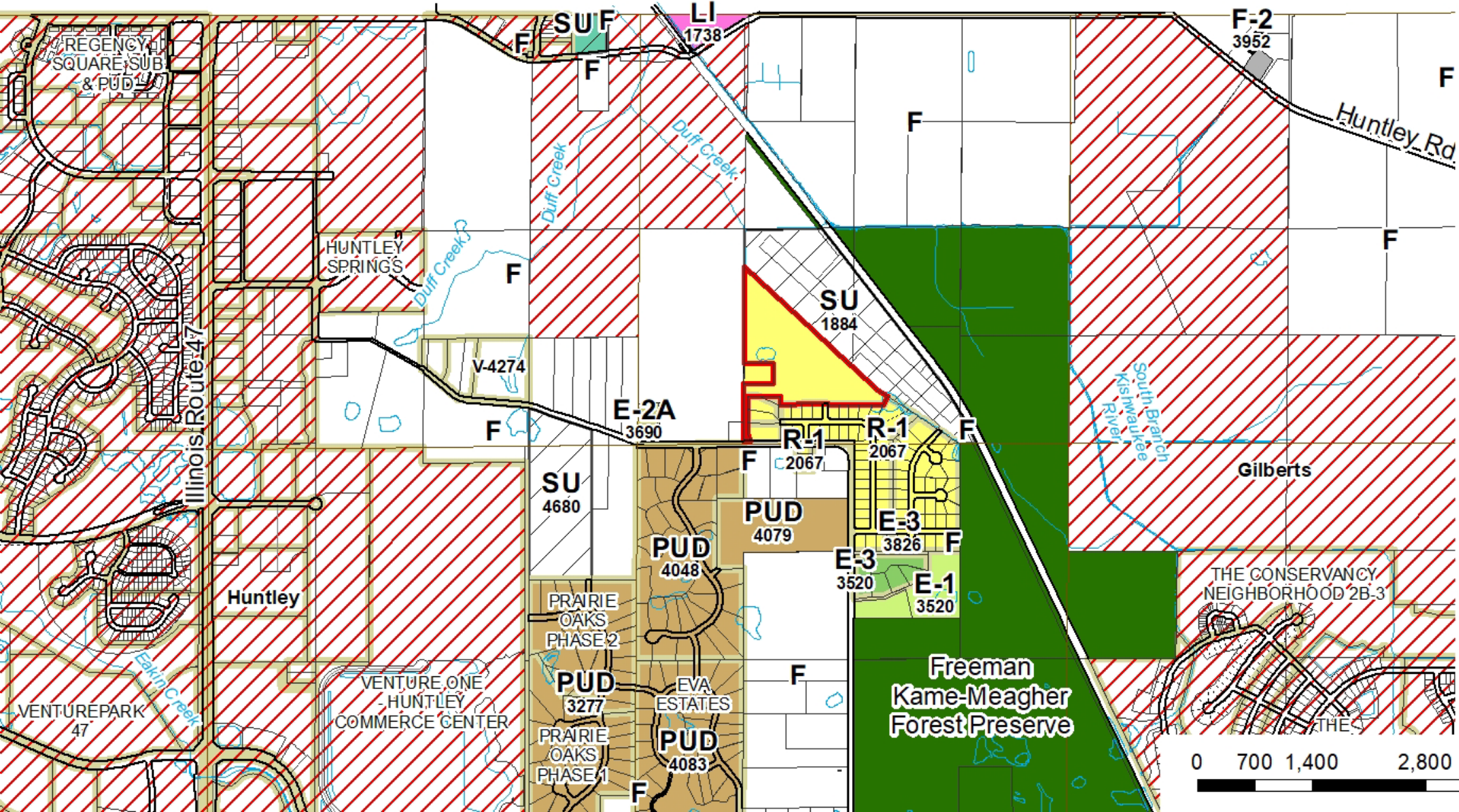


0 150 300 600 900 Feet



0 50 100 200 300 Feet

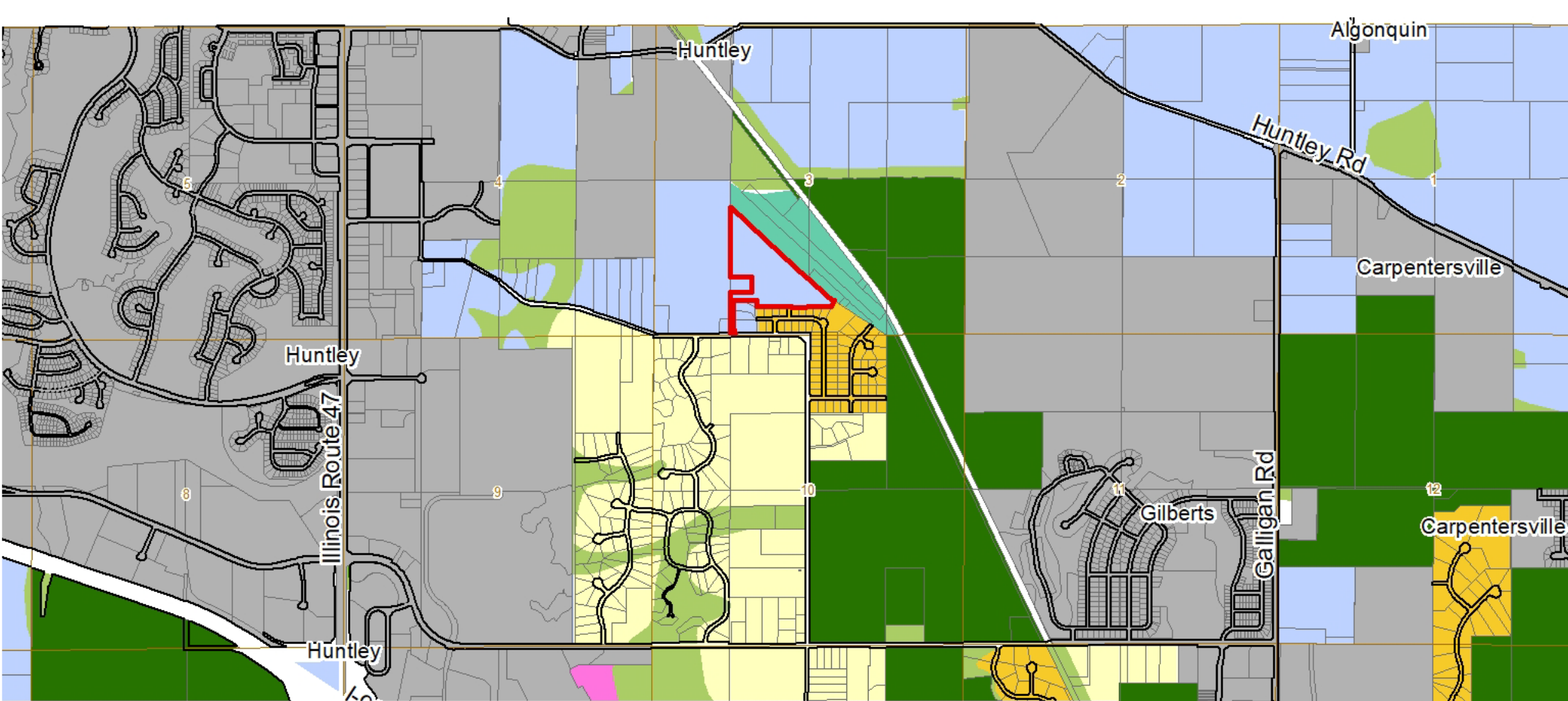
# Kane Co. Zoning Map



## Zoning Legend

- A-1
- B-1
- B-2
- B-3
- B-4
- B-5
- CO
- CU
- E-1
- E-2
- E-2A
- E-3
- F
- F-1
- F-2
- I
- ISU
- LI
- PUD
- R-1
- R-2
- R-3
- R-4
- R-5
- R-6
- R-7
- R-8
- R-9
- RB
- SU

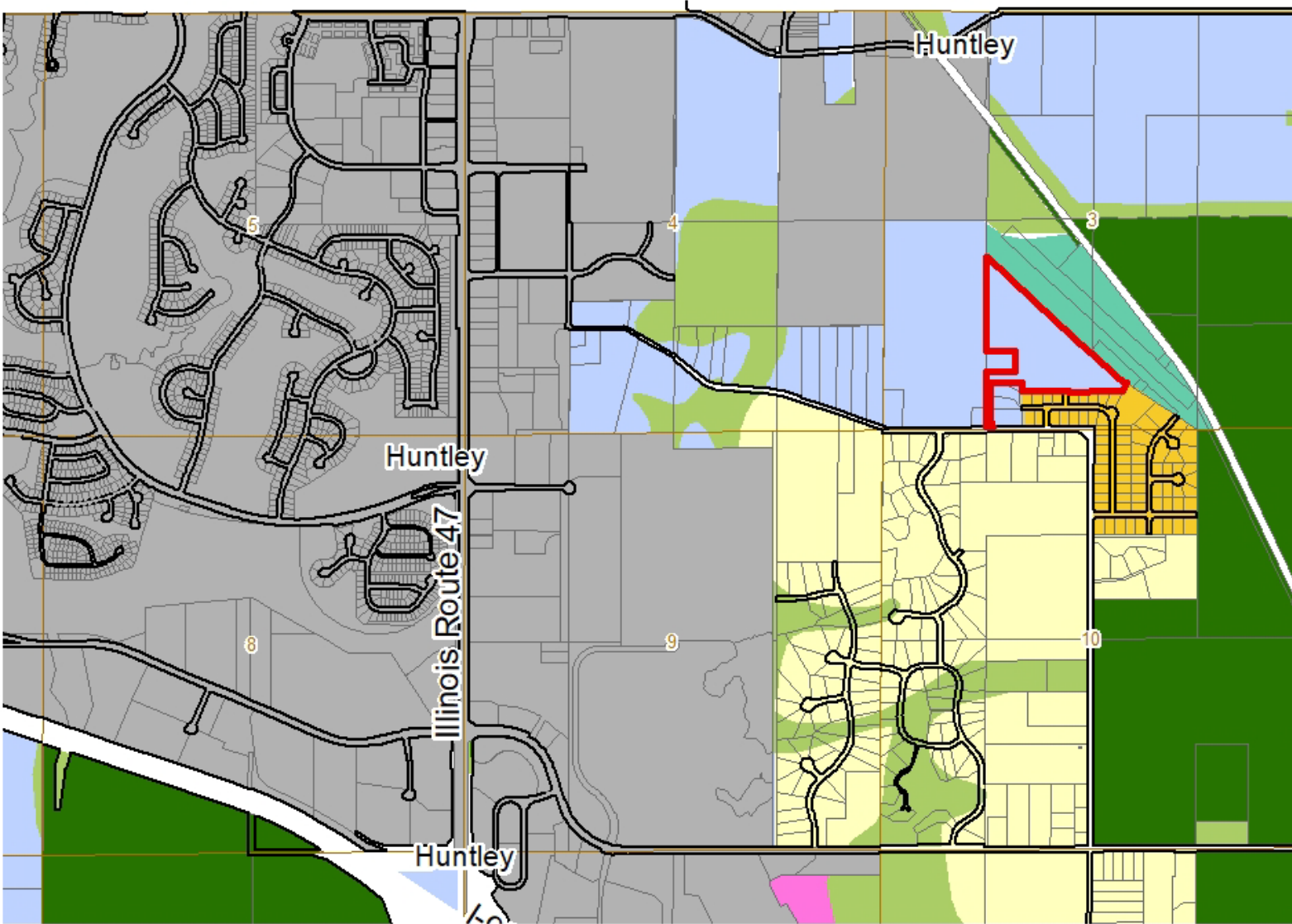




**2040 Land Use**

- |   |  |   |
|---|--|---|
|  Agricultural Business            |  Proposed Open Space                |  Rural Residential                     |
|  Agriculture                      |  Resource Management                |  Urban Neighborhood / Mixed Use Infill |
|  Commerce / Employment            |  Existing Public Open Space         |  Water                                 |
|  Countryside / Estate Residential |  Institutional / Private Open Space |  Municipalities                        |

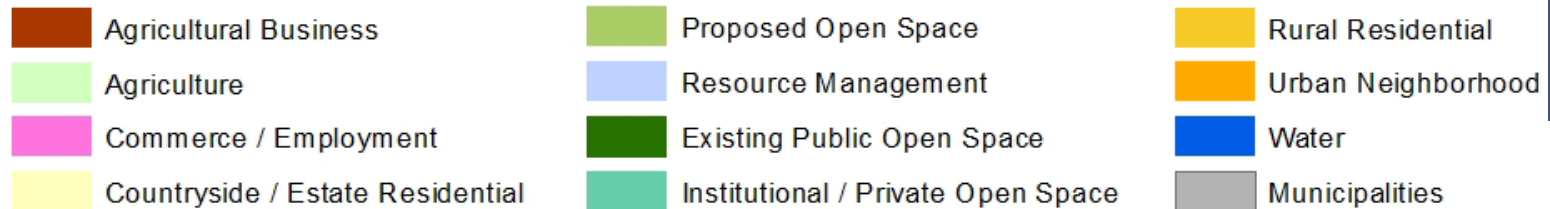




### Analysis

- The Kane County 2040 Plan identifies the site as within the Resource Management area. These areas are intended to accommodate a range of uses – including commercial and residential uses. The 2040 Plan also anticipates that many areas with the Resource Management designation will eventually be annexed by adjoining municipalities. For this reason the Plan also emphasizes considering the goals of municipal land use plans with planning area jurisdiction.
- **The Village of Gilberts has extra-territorial planning jurisdiction over the site proposed for development.** According to the Village’s Future Land Use Map (Comprehensive Plan and map adopted November 21, 2023) the site area is designated for Single-Family Detached, a residential land use.

### 2040 Land Use



# REVIEW COMMENTS

## MUNICIPALITIES

**Village of Gilberts:** Based on the application and material, the proposed rezoning would not be consistent with the Village of Gilberts' Comprehensive Plan. The Comprehensive Plan contemplates this property to remain as residential with detached single-family uses.

## FOREST PRESERVE

No comments received.

## SCHOOL DISTRICT

No comments received.

## ENVIRONMENTAL HEALTH

Any food prepared or served on site for events that are promoted in public forms, including social media, require a food permit and approval from the health department. Operations and activities must stay within the limits of the septic capacity. (Colleen Nyland 05-21-2026)

# REVIEW COMMENTS

## TRANSPORTATION

The Kane County Department of Transportation (KDOT) reviewed this Petition and provided the following stipulations of approval:

1. Kane County will not approve the establishment of use for the site until certain submittals are presented by the petitioner to the Kane County Division of Transportation, reviewed, and approved to address the following:
  - a. Resolve all inconsistencies between the traffic study, the site plan, and the other elements of the zoning petition materials, including:
    - i. Highest number of people at the site considering all overlapping uses.
    - ii. Site uses, schedules and frequency
    - iii. Maximum number of peak hour trips (including all site uses), including expected trips from the Hampton Inn Hotel's van shuttle service (fee-based)
    - iv. Parking spaces to be provided
  - b. Site Plan -- update to accurately depict current and proposed conditions
2. The Gary Lane access to the site is for emergency uses only and will be kept gated and locked with a Knox box in coordination with the Huntley Fire District. The petitioner will provide all maintenance necessary to keep the access way free of snow or other obstructions that prevent its use by emergency responders.

(Doris Hohertz 05-01-2026)

# REVIEW COMMENTS

## FIRE PROTECTION DISTRICT

***The Huntley Fire Protection District provided a letter confirming that they approve the proposed change of occupancy, contingent upon full compliance with all applicable fire and life safety codes and standards, as well as completion of all items identified in the accompanying review letter.***

All building occupants, owners, operators, and tenants are required to maintain compliance with all applicable Fire and Life Safety Codes at all times. Compliance shall include, but is not limited to, the proper maintenance, inspection, testing, and operation of all required fire protection and life safety systems.

The following requirements shall be continuously maintained:

- Annual inspection, testing, and maintenance of the fire alarm system in accordance with applicable codes and standards.
- Annual inspection, testing, and maintenance of the automatic sprinkler system.
- Annual inspection and servicing of all portable fire extinguishers.
- Annual inspection, testing, and maintenance of the fire pump system, where applicable.
- Maintenance of all means of egress, emergency lighting, exit signage, and other required life safety features in proper working condition.

In addition, the building owner and/or occupants shall provide the Fire Prevention Bureau access to the premises for the purpose of conducting required annual life safety inspections and any follow-up inspections deemed necessary to verify compliance.

Huntley Fire Protection District (Email 5-11-2026 [jbuschbacher@huntleyfpd.org](mailto:jbuschbacher@huntleyfpd.org))

# REVIEW COMMENTS

## WATER RESOURCES

The Water Resources department reviewed the Zoning Petition and provided the following stipulations of approval:

1. This site has a Stormwater Permit issued in the Fall of 2023. To close out this permit Water Resources will require Record Drawings, Easements to be recorded for all Special Management Areas and final site inspection by staff. Water Resources will stipulate that the close out of this permit shall be completed by June 30, 2027.
2. Any expansion of impervious site will require a new Stormwater Permit.

(Anne Wilford 05-21-2026)

# ADDITIONAL REVIEWS & ANALYSES

## Department of Natural Resources (IDNR) obtained through the Ecological Compliance Assessment Tool (EcoCAT)

From Adam Rawe at INDR:

- I completed this review for the desktop/paperwork exercise of rezoning for local government to bring an existing land use under the appropriate zoning.
- I stated ***if rezoning is approved, the actual project should come back in for consultation with IDNR if there would be any construction activity which requires any state or local government authorization (permits).***
- We show records for Blanding's turtles and Swainsons hawks.
- Also, Freeman Kame Nature Preserve is nearby but separated from this rezoning area by a subdivision.
- Rezoning is a paperwork exercise and not likely to result in adverse impacts unless there is eventual construction.
- However, this project was submitted with a description indicating no change would occur to the existing condition.
- ***If the county knows there will be construction, then I would recommend conditioning a rezoning that any future construction activities must be submitted to the IDNR EcoCAT application for consultation.***

## Natural Resources Inventory (NRI) Report from the Kane-DuPage SWCD

According to the information received, ***a Natural Resources Inventory is not required at this time for the proposed zoning change because there is no ground disturbance of the land.*** Therefore, no further action will be taken by the Soil and Water Conservation District Board.

Copies of each full report have been provided on the Kane County website under the applicable petition number on the Zoning Petitions page.

## PUBLIC COMMENT

Copies of any submitted public comments will be uploaded to the Kane County website under Zoning Petition No. 4684 on the Pending Zoning Petitions page.

<https://www.kanecountyil.gov/FDER/Pages/development/buildingandzoning/PendingZoningPetitions.aspx>

Keith,

I'm a concerned citizen and property owner in Kane County. There is a plan by Jennifer Davis Trust to rezone a property adjacent to mine (Petition 4684). This property is in close proximity to an active airport. The Davis family has shown a great disregard for safety with their operations near and on our airport. They have repeatedly driven motor vehicles on our runways which is illegal and extremely dangerous. Repeated attempts to get them to stop have fallen on deaf ears.

Any attempt to increase public traffic adjacent to this airport is a horrible affront to public safety.

I strongly suggest we do not rezone this property.

If a safety incident occurs, this email may be brought as evidence that the county was warned.

Please feel free to contact me with any questions.

I appreciate your time.

John Fulgenzi

## Recommended Stipulations of Approval (full list)

1. (Water Resources) This site has a Stormwater Permit issued in the Fall of 2023. To close out this permit Water Resources will require Record Drawings, Easements to be recorded for all Special Management Areas and final site inspection by staff. Water Resources will stipulate that the close out of this permit shall be completed by June 30, 2027.
2. (Water Resources) Any expansion of impervious site will require a new Stormwater Permit.
3. (Transportation) Kane County will not approve the establishment of use for the site until certain submittals are presented by the petitioner to the Kane County Division of Transportation, reviewed, and approved to address the following:
  - a. Resolve all inconsistencies between the traffic study, the site plan, and the other elements of the zoning petition materials, including:
    - i. Highest number of people at the site considering all overlapping uses.
    - ii. Site uses, schedules and frequency
    - iii. Maximum number of peak hour trips (including all site uses), including expected trips from the Hampton Inn Hotel's van shuttle service (fee-based)
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  - b. Site Plan -- update to accurately depict current and proposed conditions
4. (Transportation) The Gary Lane access to the site is for emergency uses only and will be kept gated and locked with a Knox box in coordination with the Huntley Fire District. The petitioner will provide all maintenance necessary to keep the access way free of snow or other obstructions that prevent its use by emergency responders.
5. (Environmental Health) Any food prepared or served on site for events that are promoted in public forms, including social media, require a food permit and approval from the health department. Operations and activities must stay within the limits of the septic capacity.
6. (Fire District) Petitioner shall comply with all applicable fire and life safety codes and standards, as well as completion of all items identified in the provided Fire District Review Letters dated 05/01/2026 and 05/11/2026.
7. (Zoning) If the zoning petition is approved, the petitioner will be required to apply for an Establish Use Permit through the Building & Zoning Division prior to holding any of the activities and/or events listed in the petition. Compliance with the above stipulations (if adopted) will be confirmed as part of this permit, as well as life safety requirements under the County's adopted building codes and the requirements required by the Huntley Fire Protection District.

## Special Use Standards / ZBA Findings

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.

# Zoning Entitlement Process

## **ZONING BOARD OF APPEALS (PUBLIC HEARING)**

This Petition will be considered by the Zoning Board of Appeals at its meeting currently scheduled for **Tuesday, May 26, 2026 at 7:00 p.m.**, at the Kane County Government Center, Building A, 719 S. Batavia Ave., Geneva, IL, in the first floor Auditorium room.

## **DEVELOPMENT COMMITTEE**

This Petition will be considered by the Development Committee at its meeting currently scheduled for **Tuesday, June 16, 2026, at 10:30 a.m.**, at the Kane County Government Center, Building A, 719 S. Batavia Ave., Geneva, IL, in the first floor Auditorium room.

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 **Tuesday, July 14, 2026, at 9:45 a.m.**, at the Kane County Government Center, Building A, 719 S. Batavia Ave., Geneva, IL, in the first floor Auditorium room.

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.