



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: August 25, 2026

TO: Kane County Zoning Board of Appeals

FROM: *Keith Berkhout*, Zoning Planner
P: 630-232-3495 | E: berkhoutkeith@kanecountyil.gov

SUBJECT: Zoning Petition No. 4687 Roadside Farms 1921 LLC (Kevin Peterson)

GENERAL INFORMATION

APPLICANT

Kevin Peterson

PROPERTY OWNER

Roadside Farms 1921 LLC

REQUESTED ACTION

To rezone a portion of property in the F-Farming District to two areas of F-1 Rural Residential District, in order to bring two existing detached single-family homes into compliance with the zoning ordinance.

SUBJECT PROPERTY

50W394 & 50W372 Peterson Road, in Virgil Township, unincorporated Kane County, Illinois (PIN: 07-07-400-003 & 07-07-300-009)

KANE COUNTY BOARD DISTRICT

18 Rick Williams

SUBMITTAL DOCUMENTS

An application requesting the Special Use was received by the County on June 8, 2026. All received application documents for the Petition are available for review on the [Zoning Petitions](#) page of the Kane County Website.

PUBLIC NOTICE

The public hearing for this Petition was scheduled for August 25, 2026. A notice of public hearing sign was posted on the subject property on July 6, 2026. A notice letter was mailed to all adjacent property owners within 250' of the subject property on August 7, 2026. And notice was published in the Daily Herald newspaper on August 8, 2026.

In addition to adjacent property owners, notice of this Petition was also sent to Kane County Technical staff, Kane County Forest Preserve, Virgil Township Supervisor and Township Highway Commissioner, School District 302, and the Maple Park Fire District.



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REVIEW & ANALYSIS

ZONING

The subject property is currently zoned F-Farming District. The petitioner is seeking a rezoning to allow each existing home to be on its own separate parcel. The remaining property will be placed in a Farmland Conservation Easement which will prevent any future development of the property.

FUTURE LAND USE

The proposed installation falls within the Agricultural area of the Kane County 2040 Land Use Map. These areas have been determined preferable for low density residential development, small specialty farms, community-based agriculture, and other farming operations.

KANE COUNTY FOREST PRESERVE DISTRICT

No comments received.

SCHOOL DISTRICT

Thank you for providing notice of Kane County Zoning Petition No. 4687 regarding the proposed rezoning of the properties located at 50W394 and 50W372 Peterson Road in Virgil Township. Kaneland CUSD # 302 has reviewed the application materials. Based on the information provided, the District understands that the request is limited to rezoning approximately five acres surrounding two existing residences to accommodate a phased transfer of ownership, with no new residential construction or additional development proposed. At this time, the District has no comments or objections to the proposed rezoning. (Email 6-30-2026).

ENVIRONMENTAL HEALTH

Each home would need its own water well and septic system to support the home on the parcel on which it is contained. Septic must be fully contained to the parcel it is located within. (Email 6-25-2026)

TRANSPORTATION

The Kane County Department of Transportation (KDOT) reviewed this Petition and is requesting the following stipulation:

1. The Petitioner shall obtain a temporary and final access permit from Virgil Township (Email 6-29-2026)

FIRE PROTECTION DISTRICT

No comments received.

WATER RESOURCES

The Water Resources department reviewed the Zoning Petition and provides the following comment and stipulation:

The site contains unstudied closed depressional areas, some of which are mapped in the FEMA Flood Insurance Rate Maps. Any new construction will need to meet the building standards of the Kane County Stormwater Ordinance and a flood study to determine the Base Flood Elevation. Some sites, particularly those that contain floodplain are not suitable for basements.

1. **STIPULATION:** For any Development in the future as defined by the Kane County Stormwater Management Ordinance on the resulting F-1 and F parcels that singularly results in greater than 5,000 sq ft of new impervious area, or cumulatively (as of Jan 1, 2002) results in greater than 25,000 sq ft of new impervious area or 3 acres of disturbance, Stormwater Management Measures, as required by the Kane County Stormwater Ordinance, shall be provided. (Email 7-13-2026).



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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) – *Per the Department, no report is required for this petition.*

Natural Resources Inventory (NRI) Report from the Kane-DuPage Soil & Water Conservation District (SWCD) – *No report required*

PUBLIC COMMENT

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

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. The Petitioner shall obtain a temporary and final access permit from Virgil Township
2. For any Development in the future as defined by the Kane County Stormwater Management Ordinance on the resulting F-1 and F parcels that singularly results in greater than 5,000 sq ft of new impervious area, or cumulatively (as of Jan 1, 2002) results in greater than 25,000 sq ft of new impervious area or 3 acres of disturbance, Stormwater Management Measures, as required by the Kane County Stormwater Ordinance, shall be provided.

ZONING STANDARDS

25-8-2-3: CONDITIONS FOR REZONING:

The Zoning Board of Appeals shall not recommend a rezoning to this zone district classification unless the applicant shall present clear and convincing evidence to the Zoning Board of Appeals that the property sought to be rezoned is not suitable for agricultural use. The Zoning Board of Appeals in determining suitability of property for agricultural use shall make findings of fact with respect to the following:

- A. Existence of nonprime farmland based on the Kane County soil survey and the important farmlands map, prepared by the U.S. Department of Agriculture, Soil Conservation Service and other applicable sources;
- B. Topography;
- C. Manmade and physical features which may serve as barriers;
- D. Vegetative cover;
- E. Parcel size;
- F. Adjacent land uses.



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DEVELOPMENT COMMITTEE

This Petition will be considered by the Development Committee at its meeting currently scheduled for Tuesday, September 15, 2026, at 10:30 a.m., 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 Tuesday, October 13, 2026, at 9:45 a.m., 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.