



**Zoning Request Report**  
County of Kane

Kane County Development  
719 Batavia Ave  
Geneva, IL 60134  
Phone: (630) 232-3492  
Fax: (630) 232-3411

TO: Kane County Zoning Board Of Appeals  
Kane County Development Committee  
County Board Member District  
Janice Hill                      Carl Scheodel                      Mark VanKerkhoff                      Monica Meyers  
Petitioner

**PETITION NUMBER** 2016-4407 **Date** 11/23/2016

**GENERAL INFORMATION**

**APPLICANT:** GRAYDON FULLER

11N198 RUSSELL ROAD  
ELGIN 60124

**PURPOSE:** REQUEST FOR A NEW FIVE YEAR INTERIM SPECIAL USE TO REPLACE AN EXPIRING FIVE YEAR INTERIM SPECIAL USE FOR STORAGE AND MAINTENANCE SOIL APPLICATION AND CONDITIONING EQUIPMENT

**EXISTING ZONING:** FIVE YEAR INTERIM SPECIAL USE FOR STORAGE AND MAINTENANCE OF SOIL APPLICATION AND CONDITIONING EQUIPMENT

**REQUESTED ACTION:** FIVE YEAR INTERIM SPECIAL USE FOR STORAGE AND MAINTENANCE OF SOIL APPLICATION AND CONDITIONING EQUIPMENT

**SIZE:** 5.43 ACRES

**LOCATION:** ON THE SOUTH SIDE OF ROUTE 72, 1500 FEET WEST OF FRENCH ROAD, SECTION 29, HAMPSHIRE TOWNSHIP (48W075 ROUTE 72)

SURROUNDING	ZONING	USE
NORTH	F-2 - AGRICULTURAL RELATED SALES, SERVICE, PROCESSING, RESEARCH,	AGRICULTURAL; FARMER'S MARKET
SOUTH	F - FARMING;	AGRICULTURAL;
EAST	F - FARMING;	AGRICULTURAL;
WEST	F - FARMING;	AGRICULTURAL;

**EXISTING LAND USE:** AGRICULTURAL;

**LAND USE PLAN DESIGNATION:** AGRICULTURAL

**ZONING HISTORY:** CURRENT INTERIM SPECIAL USE APPROVED IN JANUARY 2012

**APPLICABLE LAND USE REGULATION:** ARTICLE VIII, SECTION 8 1-2 CC OF THE KANE COUNTY ZONING ORDINANCE

First American Bank  
Five Year Interim Special Use

**Special Information:** The site is an existing farmstead located on the south side of Rt. 72, west of the Village of Hampshire. Synagro has been operating on the property since 2009. A five year Interim Special Use was granted in 2012 and is set to expire in 2017. Synagro takes sludge from local sewage treatment plants and spreads it on area farms. The Hampshire location is centrally located for their activities. The petitioners are proposing to keep no more than 5 semi tractors and 15 trailers/tankers on the property. The equipment will be located outside. One of the existing outbuildings will be used as Synagro's maintenance building. Additionally, the owners would like the second outbuilding (labeled "B" on the site plan) to be used for indoor storage of vehicles and equipment and the maintenance of the same. Building B would not be associated with Synagro. The farmhouse would continue to be used as a single family home.

**Analysis:** The Kane County 2040 Land Resource Management Plan designates this area as Agriculture. The intent of the Interim Special Use is to utilize existing farmland or structures which may remain unused because the proposed use would otherwise be considered a spot zoning. Synagro provides a needed service for municipalities and farmers in the Kane, McHenry and DeKalb County areas. This site is too small to economically farm and has two large agricultural buildings that may otherwise remain vacant if not used for storage and maintenance.

**Staff recommendation:** The Kane County Technical Staff recommends approval of the five year interim special use with the following condition:

1. Synagro may store ten (10) pieces of ancillary equipment on the property in addition to the five (5) trucks and fifteen (15) trailers.
2. No outside storage may be associated with Building B.

**Staff recommended Finding of Facts:**

1. The Interim Special Use will allow an adaptive reuse of two farm buildings.
2. Synagro's services are used by Kane County municipalities and farmers.

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

## **ADDENDUM**

### **PETITION FOR INTERIM SPECIAL USE**

The undersigned Petitioner, **FULLER ABBOTT PROPERTIES LLC—HAMPSHIRE SERIES**, an Illinois Limited Liability Company, states as follows:

1. That Petitioner is the owner of 5.4347 acres of land legally described on Exhibit "A" attached hereto and made a part hereof.
2. The land is improved with a single family farm house and two farm buildings. Said property is located approximately 1150 feet west of the Intersection of French Road and Illinois Route 72 on the south side of Route 72. The house and buildings still have a useful life, but are not a part of the surrounding farm land operation. The existing zoning is "F-Farming" with an interim special use granted January 10, 2011 under the Zoning Ordinances of Kane County, Illinois. Said interim special use expires April 30, 2017, unless extended by subsequent petition and hearing.
3. The property is surrounded on the East, South and West by crop land, which is zoned "F-Farming." To the north is a farm stand improved with buildings, outdoor display areas and a gravel parking area, which is zoned "F-2." The owner also has a residence to the west of the farm stand.
4. The surrounding owners are listed on Exhibit "B" and have been notified of this Petition and hearing.

5. An aerial plan of the property and surrounding areas is attached hereto and marked as Exhibit "C." The subject property is within the planning area of the Village of Hampshire. The Village boundary ends at French Road, approximately ¼ mile east of the subject property.

6. The undersigned hereby petitions for a five (5) year extension of the existing Interim Special Use in the "F-Farming" District, pursuant to Article 8.1-2 cc. The purpose is to allow a maximum of 5 semi-tractors and 15 trailers or tankers along with soil application and conditioning equipment, loading and ancillary equipment, including maintenance equipment to be located on the premises. The above equipment may be located outside the existing two buildings in the area designated on the Site Plan attached as Exhibit "D." Further, Petitioner requests that "Building B" be used for the indoor storage of vehicles and equipment and the maintenance of same, along with the continued use of the residence for residential use. All of the forgoing uses are the same as previously granted.

7. Currently the smaller of the buildings marked "Building A" on Exhibit "D," and the surrounding areas marked as "Out Door Storage C," are being used by Synagrow Co., which services various farms in the area by distributing treated municipal sewage through Synagrow's soil application and conditioning equipment. The semi-tractors and trailer/tankers haul the fertilizer from the treatment plants to the various farm fields and land and apply it to the farm fields. Loading equipment is also necessary for this farm-related operation, as well as the maintenance of same. There will be no on-site overnight storage of the soil conditioner material. "Building B" is used for rental for equipment and vehicle storage, as well as the

maintenance thereof, all within the building. Currently Synagrow occupies the southerly portion of "Building B", all consistent with the prior usage requirements. The existing farm house would continue to be used for residential purposes.

8. Petitioner believes that the granting of the Interim Special Use for a period of five (5) years would be in the highest and best interest of utilizing the existing land, structures and facilities, all of which represent a valuable economic base which might not be used. Current economic conditions are such that the continued growth of the Village of Hampshire may not resume for several years.

9. Petitioner represents that the Special Use requested will be consistent with the farm and agricultural businesses currently being operated on the surrounding properties so as not to endanger the public health, safety, morals, comfort and general welfare. The continued residential, storage and farm service type business, which is the nature of the Special Use Request, is similar to the neighboring properties, and therefore will not diminish property values. Since the request is for an Interim Special Use for five (5) years, and Petitioner has contacted the village attorney of the Village of Hampshire regarding the extension being requested to allow the property to continue its current uses until it becomes contiguous to the Village, Petitioner believes that the granting of the Special Use will not impede the orderly development of surrounding properties. Further, existing utilities, drainage, access to Illinois Route 72 and other necessary facilities are adequate and appropriate for the low traffic and farm service type Special Use that Petitioner is proposing. The Special Use being proposed will otherwise conform to the "F-Farming" District and "F-2" Farming District that surrounds the

site. The activities, indoor and outdoor storage, maintenance and residence are consistent with a typical farm operation in the general area.

WHEREFORE, Petitioner prays that it be granted an Interim Special Use under the terms and conditions of Paragraphs 6 and 7 above for property described on Exhibit "B" attached hereto.

FULLER ABBOTT PROPERTIES LLC—HAMPSHIRE SERIES,  
An Illinois Limited Liability Company

By: *Paula J. Fuller*  
Manager

# 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.

Fuller Abbott Properties LLC-  
~~Hampshire Series~~  
Name of Development/Applicant

October 3, 2016  
Date

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

The uses in the area consist mostly of vacant farm land. Immediately across the street is a farmstand selling vegetables, landscape items and similar products. It is zoned F-2. The village limits of Hampshire extend on both sides of Route 72 to the west side of French Road extended. The property is currently approx. 1467 feet west of the village limits and is not contiguous to the village. See attached Addendum Petition.

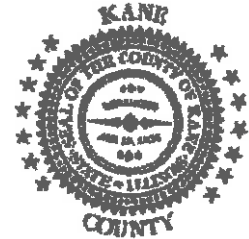
2. What are the zoning classifications of properties in the general area of the property in question? The farm stand mention above is zoned F-2. The subject property is currently zoned as an interim special use in the F-Farming District, pursuant to Article 8.1-2 cc. Said interim special use was granted Jan. 10, 2011 and expires April 30, 2017. The balance of the surrounding properties are zoned F-Farming under the Kane County Zoning Ordinance.
3. How does the suitability of the property in question relate to the uses permitted under the existing zoning classification?

Currently the tenant occupying approx. 90% of the buildings and most of the land is Synagrow, a firm that provides municipal fully treated waste for fertilizer to the farms in the general area. See Addendum Petition for Interim Special Use with particular attention to Paragraphs 6, 7, 8 and 9.

4. What is the trend of development, if any, in the general area of the property in question? Due to the recession in the housing market that began in 2008, there has been no development in the immediate area.

5. How does the projected use of the property, relate to the Kane County 2040 Land Use Plan? The property is within the Village of Hampshire planning area.

# Findings of Fact Sheet – Special Use



Interim Special Use in F-Farming  
for 5 years  
Special Use Request

October 3, 2016  
Date

- *The Kane 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. Since the Interim Special Use was granted in January of 2011, Petitioner is not aware of any complaints regarding this use which Synagrow provides to the municipalities and farmers in the area.
  7. Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity. The existing Interim Special Use has been operating in a way that has not generated any known complaints.
  8. Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property. The Interim Special Use being requested for another 5 years from the expiration of the current interim special use on April 30, 2017 will allow jobs created and the economic activity to continue in a time when little activity is occurring.
  9. Will adequate utility, access roads, drainage and other necessary facilities be provided? Please explain: The property has good visible access to State Route 72. Adequate water supplied from a well and a septic system on the premises provide adequate sanitary facilities. Adequate drainage exists for site.



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

KDOT inspected the ingress and egress to the site when the original Interim Special Use was granted. KDOT also inquired regarding the amount of traffic in and out of the premises on a regular basis. See Addendum for Interim Special Use.

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

Currently the farming in the general area of the subject property has similar farm type buildings and outdoor storage of some farm equipment, including parking of the type of trucks and trailers Synagrow uses.

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**EXHIBIT A**

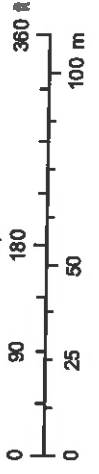
The property consists of a little over 5 acres with a farm house and two large out buildings located behind the house. The property is currently zoned as an Interim Special Use under F-Farming under the Zoning Ordinance of Kane County. Petitioner is making a request for a five-year extension of the current Interim Special Use for the property which expires April 30, 2017. The use of the property during the extended period will remain the same as it is currently. The current use of the property allows Synagrow Company to store on the exterior rear of the premises, its soil conditioning equipment, a maximum of 15 trailers, 5 trucks and no more than 10 pieces of ancillary equipment outside to the rear of the premises. The farmhouse is occupied by a Synagrow employee as a caretaker of the property and residence. Synagrow Company shall have the use of the westerly building and a portion of the easterly building for the maintenance of the equipment and the storage of various tools, small vehicles and other ancillary items related to equipment maintenance, all within the confines of the building. The indoor storage of equipment and vehicles will be permitted by Synagrow and other third parties in the easterly building. The aforesaid Interim Special Use would expire on April 30, 2022, unless extended by subsequent petition and hearing.

# Map Title



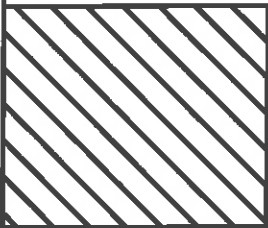
November 9, 2016

1:1,979



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 local information.

FRENCH RD.



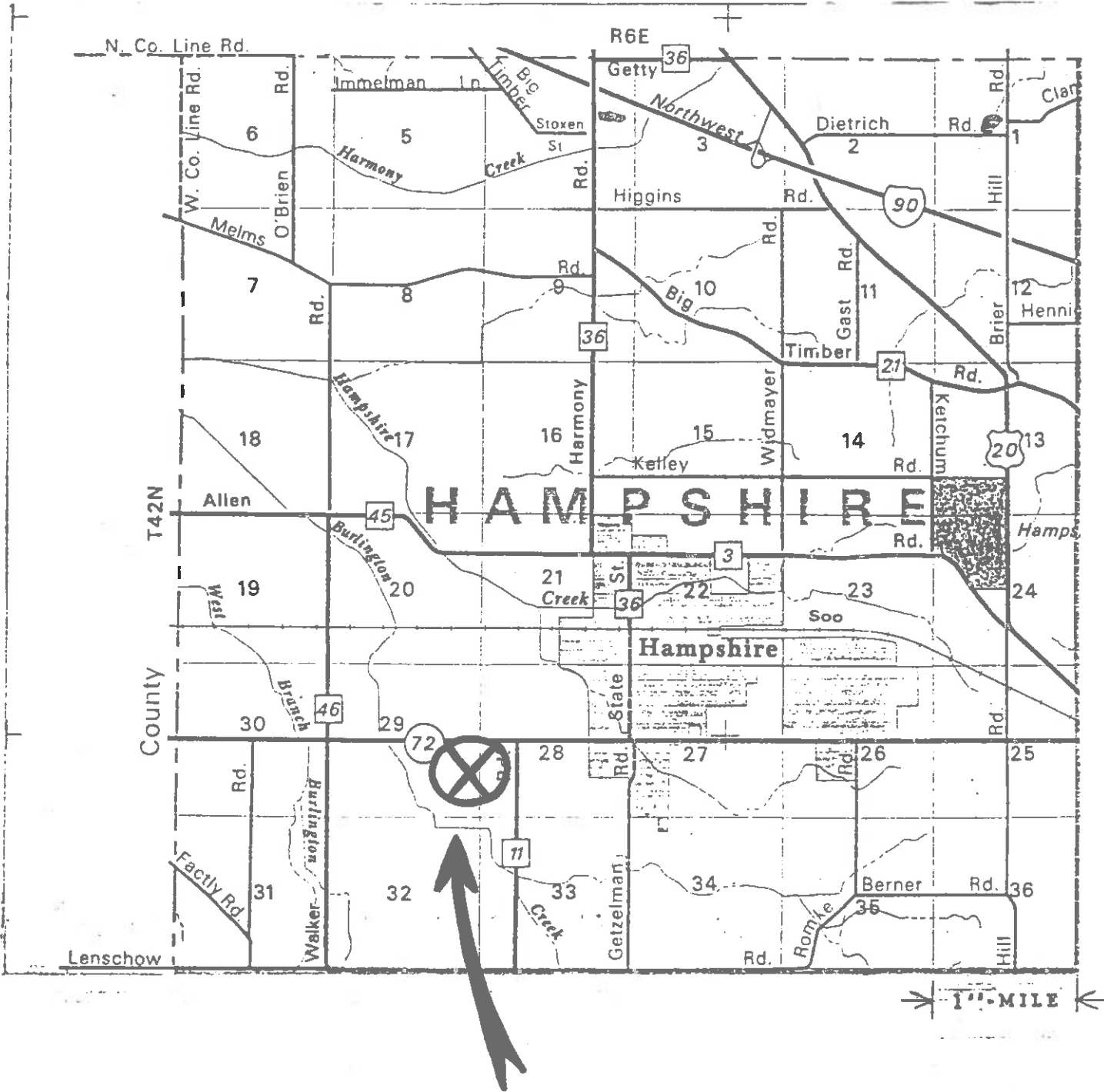
72

First American Bank  
Synagro

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HAMPSHIRE twp.  
T.42 N. - R.6 E

map 1



## Berkhout, Keith

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**From:** Phillip Bus <busphillip@gmail.com>  
**Sent:** Thursday, July 07, 2016 9:01 AM  
**To:** Berkhout, Keith  
**Cc:** Boose Jerry  
**Subject:** Staff mtg

The 5 year interim special use for the Grady fuller property (sludge disposal equipment storage ) site expires the end of this year. We would like to proceed with a request to have that Interim SU extended by possibly 10 years. There have been no problems or complaints associated with this use over the past 5 years. Do you have an opening on the July 18th staff agenda when we can attend and get the extension process initiated? Thanks. Phil

Sent from my iPhone