

KANE COUNTY DEVELOPMENT DEPARTMENT
Subdivision and Zoning Division, Kane County Government Center
719 Batavia Avenue
Geneva, Illinois 60134
Office (630) 232-3492 Fax: (630) 232-3411

Received Date

4453

ZONING MAP AMENDMENT APPLICATION

Instructions:

To request a map amendment (rezoning) for a property, complete this application and submit it with all required attachments to the Subdivision and Zoning Division.

When the application is complete, we will begin the review process.

The information you provide must be complete and accurate. If you have a question please call the subdivision and zoning division, and we will be happy to assist you.

1. Property Information:	Parcel Number: 11-14-200-018
	Street Address (or common location if no address is assigned): 40W020 Hughes Road Elburn, IL 60119

2. Applicant Information:	Name Development Properties, Inc. John A. Thornhill, President	Phone 630-584-3303
	Address 44 White Oak Circle, St. Charles, IL 60174-4165	Fax 630-584-3303
		Email JATLDC@sbcglobal.net

3. Owners of record information:	Name FERG LANE, LLC, Michael Ferguson, Manager	Phone 312-882-6524 (M)
	Address 0N091 Alexander Drive Geneva, IL 60134	Fax
		E mail contact@aerialinfluence.com

Zoning and Use Information:

2040 Plan Land Use Designation of the property: Agriculture

Current zoning of the property: F District Farming

Current use of the property: Farmstead (Barn converted to residence with other outbuilding).

Proposed zoning of the property: One F1 District parcel & one F2 District parcel.

Proposed use of the property: Continue residential use, and renovation of existing frame garage building to accommodate development of a drone pilot training center with parking for attendees.

If the proposed Map Amendment is approved, what improvements or construction is planned? Improving entrance to Hughes Road, and installing driveways and parking areas; new waste water treatment system; renovations to frame building including siding, roofing, and interior build-out for classroom, sales and service area; exterior security lighting and vegetative screening (See attached Exhibit "D", Site Development Plan).

Attachment Checklist

- Site Development Plan (See Exhibit "D") with applicable stipulations (See Exhibit "C").
- Legal descriptions (See Exhibit "A").
- Completed Land Use Opinion application (Available in pdf form at www.kanedupageswed.org/luo.pdf), as required by state law, mailed to: The Kane DuPage Soil and Water Conservation District, 545 S. Randall Road, St. Charles, IL 60174.
- Endangered Species Consultation Agency Action Report (available in pdf form at www.dnr.state.il.us/orep/nrrc/aar.htm) to be filed with the Illinois Department of Natural Resources.
- Aerial Photo of PINs affected (See attached Kane County GIS Aerial-Exhibit "B")
- List of record owners of all property adjacent & adjoining to subject property
- Trust Disclosure (If applicable)
- Findings of Fact Sheet
- Application fee (make check payable to Kane County Development Department) = \$2300.00

I certify that this application and the documents submitted with it are true and correct to the best of my knowledge and belief.

Record Owner: Michael Fyfe 5/7/2018
 Michael Ferguson, Manager, FERG LANE, LLC Date

Applicant and/or authorized agent: John A. Thornhill 5/7/2018
 John A. Thornhill, President, DPI Date

Findings of Fact Sheet – Rezoning

- *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.*

FERG LANE, LLC Rezoning-F1 District / DPI
Name of Development/Applicant

May 8, 2018
Date

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

There will be no changes that would be inconsistent with the present or surrounding land uses.

2. What are the zoning classifications of properties in the general area of the property in question?

All are *F District-Farming* except for: two *F1 District-Rural Residential*, across the road to the south and nearly ¼ mile to west, and; *Mill Creek PUD* to the east and north of Hughes Road consisting of open space (occupied by a golf course) and sites for a Blackberry Township maintenance building and Elburn Fire Department.

3. How does the suitability of the property in question relate to the uses permitted under the existing zoning classification?

The existing residence is already a legal non-conforming use within the existing 15+ acre zoning lot. The residence is intended to be brought into compliance by reclassification to *F1 District-Rural Residential* on a smaller 1.004-acre portion of the existing zoning lot because of a proposed reclassification of another portion of the same 15+ acre zoning lot to the *F2 District*.

4. What is the trend of development, if any, in the general area of the property in question?

There has been no perceptible development in the immediate area, except for the *F1* parcel within ¼ mile to the west of the subject premises, which was re-zoned within the past 10 years .

5. How does the projected use of the property, relate to the Kane County 2040 Plan?

The proposed re-classification and use is compatible with the 2040 Plan since it will perpetuate existing permitted uses and buildings, will take no land out production and is consistent with the trend and character of the area.

Findings of Fact Sheet – Special Use

FERG LANE, LLC Rezoning-F2 District
Special Use Request

May 8, 2018
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:*

1. 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.

The site design for the proposed use takes into account the traffic flow and physical changes to the property that are required for the proposed land use change and any impact they may have on adjacent properties.

The re-adaptive use of an onsite agricultural building to a different purpose is more compatible with the existing rural ambiance of the area than the township maintenance fire department buildings adjacent to the subject premises. The architecture of the existing agricultural building will be maintained except for replacement of certain overhead doors which are no longer necessary. Parking will be provided in the rear (north side) of the building, out of the way/sight of neighbors.

Reclassification of the 0.686-acre subject parcel to the F2 District will expand the use of an existing building and site to accommodate the petitioner's plan to develop a drone (UAV) pilot training center. The use of drones has been increasing in recent years and is proving to be invaluable for numerous applications for agriculture, industry, government, and all types of emerging commercial benefits. A more complete description of the company's operating plan is presented in the attached stipulation (Exhibit "C") and as depicted on the attached Site Development Plan (Exhibit "D"). Most visible activity occurring on the subject property will occur on the north side of the building, away from the nearest residential neighbor on the south side of Hughes Road.

2. Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity.

Normal operations will take place during daytime hours or as described in Exhibit "C", will not generate large numbers of traffic movements, and can easily be accommodated in the semi-rural area in which the subject property is located. The special use will not prevent nor limit anyone in the vicinity of the subject property from the full enjoyment and use of their property.

3. Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property.

The activities proposed for the special use are not dependent on extension of any unique municipal or other utilities. Adjoining properties are completely free to develop pursuant to applicable regulations.

4. Will adequate utility, access roads, drainage and other necessary facilities be provided?
Please explain:

No additional utilities or other site improvements are necessary except for adaptation of existing building, replacement of failing waste water treatment system, and construction of driveway and parking areas. Storm water detention is not required.

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

Authority to improve (by widening and re-grading) the existing entrance to subject property will be permitted by Kane County Department of Transportation; onsite driveways will be constructed to define internal traffic flow and parking areas as depicted on Exhibit "D".

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

The present zoning classification of the subject, and much of the surrounding, property is *F District-Farming*. Under Section 8.3-1, all uses in the *F2 District* are special and are presumed to occur in an agricultural area. Section 8.3-2(a) provides for Agriculturally related research and facilities, which is consistent with the use proposed to be made of the F2 parcel and allowed in the *F2 District*.

June 19, 2018

Ferg Lane, LLC

Rezoning from F-District Farming to F-1 District Rural Residential and F-2 District –
Agricultural related sales, service, processing, research, warehouse and marketing with a Special
Use for a drone pilot training center

Special Information: The petitioner is seeking an F-1 rezoning to create a residential zoning parcel for the existing home. The petitioner is also requesting an F-2 rezoning to accommodate a building and practice areas for a drone pilot training center. Among the uses of the drones would be for spraying of farm crops and monitoring crop development.

Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Agricultural. The Plan recognizes that not all land in this area is suitable for farming and that some land can be used for farmsteads and very low density residential uses.

Staff recommended Findings of Fact:

1. The existing residential use will not be intensified.

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

EXHIBIT “C”

STIPULATION

Aerial Influence UAS Facility

PURPOSE:

The Aerial Influence (AI) facility and grounds will serve as a sales, service and training center for unmanned aerial systems (UAS). Aerial Influence is a resource to professionals needing to implement a drone program. Our objective is to help develop new tools and markets for UAS.

BUSINESS PLAN

AI’s primary focus is Agriculture, Municipal and Enterprise drone integration. AI’s facility and grounds provide a safe and professional means to prove the viability of a UAS program for each client. Our business centers on identifying markets that would benefit from drones as a tool. For most businesses, farmers, municipal and public works professionals, drones are a new technology. This fact alone has opened up AI’s business concept to include a more integrated approach. Anyone can sell a drone. AI’s approach is to be a resource for its clients by offering sales, service, training and integration of work flow. Lastly, we look for collaboration and partnership opportunities for further business growth. Currently, Aerial Influence is a Certified DJI Enterprise Drone Distributor and Distributor for the AGRAS spraying drone. Aerial Influence is not a Hobby Shop. AI serves the needs of Enterprise Drone users.

INFRASTRUCTURE

AI’s Headquarters will be located in a renovated and repurposed 50x30 foot free-standing agricultural machine shed. We plan to keep the historic look and feel of the exterior. The interior will be enhanced and serve as a modern office. The office will be equipped with a classroom, testing station, kitchenette, bathroom and utility room. The remaining areas will serve as an open showroom.

SITE

The total area of the property owned by the petitioner is 15+ acres. The additional farmed area outside the building will be available, if needed, to be used in the overall operation of the business. Together, the property and office provide for the best mix of theory and practice. It solidifies a true research and development environment.

OPERATIONS

We will have up to 4 staff members on site. The classroom and trainings will accommodate an average of 12 clients. Due to the customized nature of our business, we forecast an average daily traffic of 12 unique visitors. Our hours of operation will be during daylight. On occasion we will hold “dark” training. For example: thermal camera training. Night flight waivers will be required from the FAA.



Pin

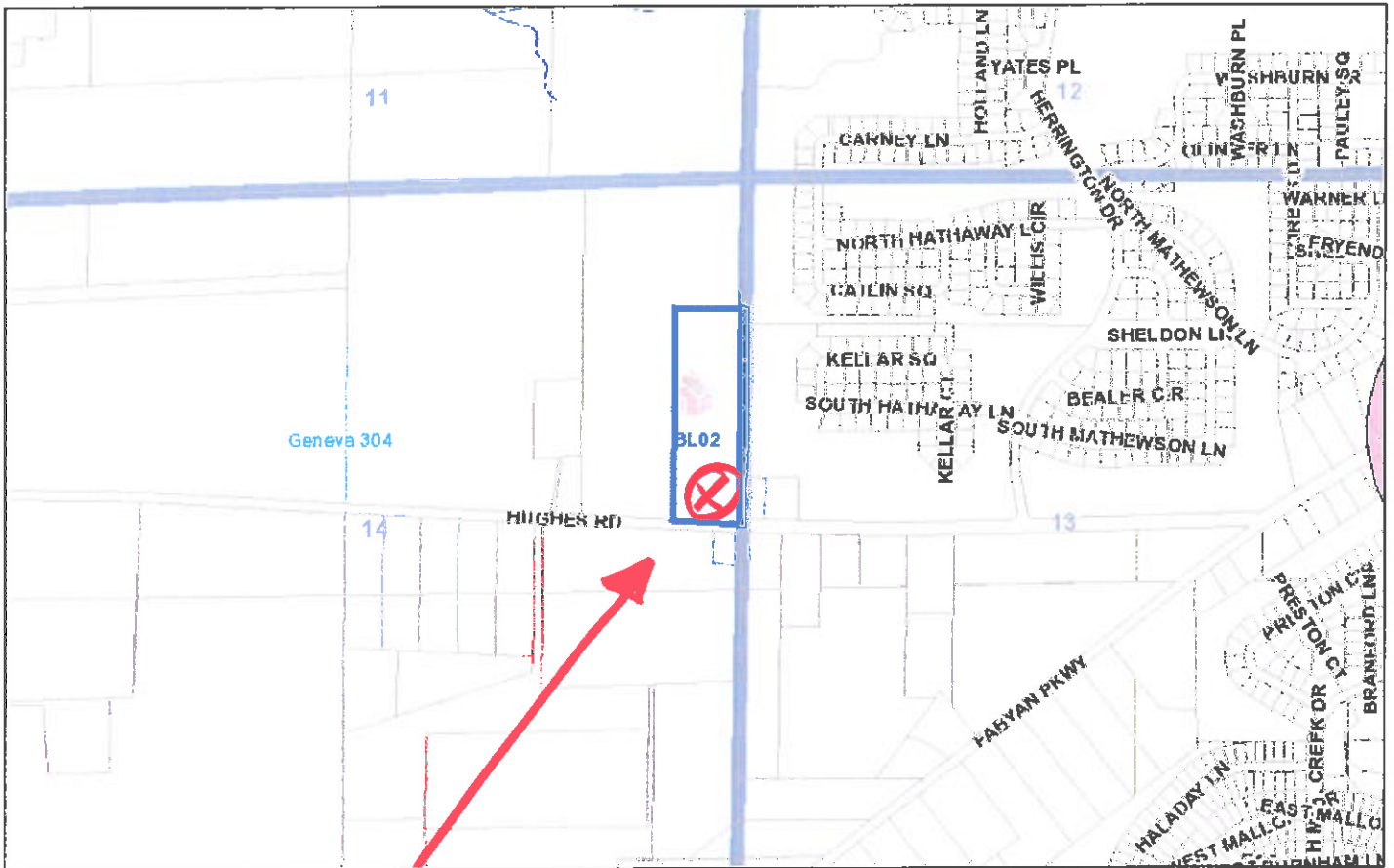
Map Aerial Hybrid



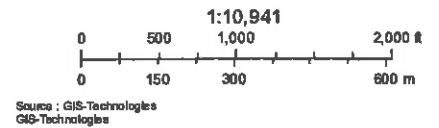
Hughes Road

Exhibit B

Map Title

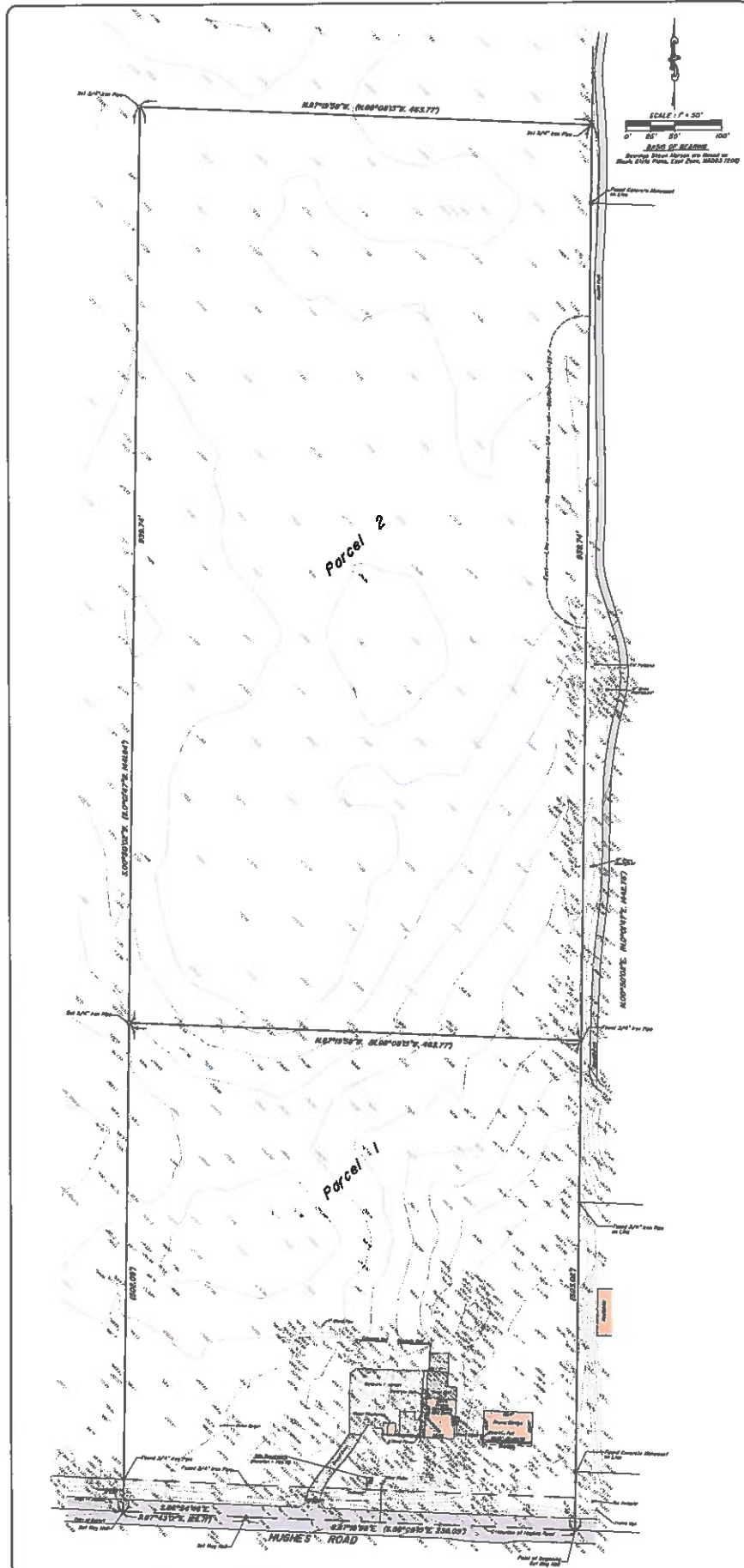


May 16, 2018



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 legal information.

GIS-Technologies
Kane County Illinois



BOUNDARY & TOPOGRAPHIC SURVEY

LEGAL DESCRIPTION

Property used documents number S00263833 registered 9/26/08, Kane County Recorder.

Parcel 2:

That part of the Northeast Quarter of Section 04, Township 39 North, Range 7 East of the Third Principal Meridian, beginning at intersection of east line of said Northeast Quarter with center of Hughes Road thence north 8 degrees, 20 minutes, 47 seconds east along said east line 653.50 feet; thence north 88 degrees, 08 minutes, 13 seconds east 412 feet; thence south 89 degrees, 42 minutes, 47 seconds east and parallel with east line 320.00 feet to a point on the center line of Hughes Road thence south 87 degrees, 24 minutes, 40 seconds east along said center line 258.70 feet to a point of beginning at the center of Block 2, Kane County, Illinois.

Parcel 11:

That part of the Northeast Quarter of Section 04, Township 39 North, Range 7 East of the Third Principal Meridian, described as follows: Beginning at the intersection of the east line of said Northeast Quarter with the center line of Hughes Road thence north 8 degrees, 20 minutes, 47 seconds east along said east line 653.50 feet; thence north 88 degrees, 08 minutes, 13 seconds east and parallel with east line 400.00 feet to a point on the center line of Hughes Road thence south 87 degrees, 24 minutes, 40 seconds east along said center line 258.70 feet; thence south 89 degrees, 42 minutes, 47 seconds east and parallel with east line 400.00 feet to a point on the center line of Hughes Road thence north 87 degrees, 24 minutes, 40 seconds east along said center line 350.00 feet to a point of beginning at the center of Block 2, Kane County, Illinois.

LOCATION MAP



LEGEND

	Markers		Found or Set Iron Pipe
	Catch Basin		Found or Set Cell Cross
	Jetty		Found or Set Concrete Stake
	Meter Photo		
	Iron Peg 100.00'		
	Electronic Meter 125'		
	Traffic Signal Box		
	Telephone Pole 100'		
	Light Post		
	Traffic Sign		
	Mail Box		
	Chain Link Fence		
	Wood Fence		
	Concrete Pavement		
	Asphalt Pavement		
	Building		
	Measured 100.00'		
	Record / Stake		
	Center Line		
	Right-of-Way Line		
	800' R.O.D. Easement Marker		
	Existing Meter Line		
	Existing Surface Line		
	Existing Stone Line		
	Center Line		
	Spot Elevation		

BENCHMARK

Benchmarks:
Cell Box on top of concrete curb, located between lot 1 and lot 2 of 1st Creek Heights Subdiv. 17' Elevation = 762.20 (NEE Creek Subdivision Datum).
Site Benchmark:
Top of Northeast Corner of Concrete Structure around the ex-Croft (See Plan) Elevation = 762.70

SURVEY NOTES

The surveyor expresses no opinion as to the accuracy of the underground utilities when not readily visible from the surface, it is recommended that the appropriate governmental agency, independently own or utility company be contacted for verification.
Permitted Parcel Water Numbers for the property described herein are 1414-000-038 and 1414-000-039.
Building dimensions and lot area are to the existing survey system.
The property described herein contains 509,178.06 sq. ft. / 11.533 acres, more or less.
The Flood Insurance Rate map shows the property described herein as being within zone "1" according to Community Flood Map No. 17088 (330 H) Kane County, based on data map no. 17088 (330 H) Kane County, Illinois and Reapproved Areas, with an effective date of August 2, 2008.
Zone "1" are areas determined to be suitable 300-year flood plain.
A current Title Report may not be sufficient to determine the accuracy of the surveying data. Existing structures there may be additional easements and/or encroachments affecting the property which are not shown on this survey.

SURVEYOR CERTIFICATE

I, the undersigned, being a duly qualified and licensed Professional Engineer, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner, and that the same is a true and correct copy of the original survey as shown to me by the owner, and that the same is a true and correct copy of the original survey as shown to me by the owner.

Prepared For:
Ferg Lane, LLC
60901 Alexander Drive
Geneva, IL 60134

PRELIMINARY

NO.	DATE	REVISION
1	5/16/2009	Field Survey Completed
2	5/19/2009	Final Survey Completed
3		

Site Description Information: 40W02D Hughes Road Edward, IL 60139	Project No.: 675615
Drawn by: EW	Checked by: EWM
Sheet 1 of 1	L-1

PREPARED BY:

ASH CONSULTANTS, INC.
16 E Wilson St, Rayville IL 60618
Tel: (833) 979-0210 Fax: (330) 454-3774
advprc@ashc.com
Professional Design Firm #138-008214 expires 4/30/2019

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BLACKBERRY twp.

T.39N - R.7E

map 11

