

COUNTY OF KANE

DEVELOPMENT DEPARTMENT
Building and Community Services Division
Mark D. VanKerkhoff, AIA Director



County Government Center
719 Batavia Avenue
Geneva, Illinois 60134
Phone: (630) 232-3485
Fax: (630) 232-3411
Website: www.co.kane.il.us

AGRICULTURAL EXEMPT STRUCTURE INFORMATION PACKET

**THIS PACKET CONTAINS INFORMATION REGARDING ITEMS THAT NEED TO BE SUBMITTED
AT THE TIME OF APPLICATION FOR AN AGRICULTURAL EXEMPT STRUCTURE
AND OTHER RELATED INFORMATION**

For a structure to be approved for an Agricultural Exempt Permit, it must generally meet the following conditions:

- Be located on a parcel 5 acres or larger
- Be used for agricultural purposes in accordance to State Law (if the structure is a garage or for storage associated with a residence, a residential accessory permit is required)
- May also require a Stormwater Permit

REQUIRED SUBMITTALS AT TIME OF APPLICATION:

- Building Permit Application
- Agricultural Exempt Structure Form
- Agricultural Exempt Structure Floor Plan Diagram
- 3 copies of a site plan drawn to scale - no larger than 11x17
- 1 copy of access/culvert permit (if a new access is proposed)

In the State of Illinois, Fire Protection Districts have the authority to adopt and enforce ordinances independent from Kane County's adopted building codes and ordinances. It is the owner's responsibility to notify the appropriate fire protection district and comply with any required submittals, inspections and occupancy requirements in addition to those required by Kane County.

ADDITIONAL INFORMATION FOR YOUR REFERENCE (enclosed):

- Agricultural Exempt Structure Form
- Agricultural Exempt Structure Floor Plan Diagram
- Site Plan Requirements
- Site Plan Form
- Building and Zoning Rules and Regulations
- Stormwater Permit Information
- Kane County Township Highway Commissioners Information
- Fire Districts Phone Numbers and Map

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AGRICULTURAL EXEMPT STRUCTURE

DATE OF APPLICATION: _____
OWNER OF PROPERTY _____
ADDRESS: _____
CITY: _____
TELEPHONE: _____
FIRE NUMBER (if one already assigned for farmstead): _____

_____, being first duly sworn, upon h_____ oath deposes and says:

1. That this affiant is the owner of record of the following described or identified real estate, to wit:
PARCEL NO. _____
2. That the structure now located thereon and/or the structure proposed to be constructed thereon will be used by persons whose occupancy and use thereof is essentially connected with the raising of crops or animals conducted upon said real estate and, therefore, within the definition of "Agriculture" as provided in Article III of the Kane County Zoning Ordinance.
3. This affidavit is made for the purpose of inducing the Enforcing Officer of the Kane County Building & Zoning Division to forbear the taking of any action predicated upon the location, except for set backs, and use of said structure and to recognize them as within the agriculture exemption provided in said Zoning Ordinance and Illinois Revised Statutes.

-- ANSWER FOLLOWING QUESTIONS --

1. Proposed Construction (Attach floor plan diagram labeling uses of all rooms) _____

2. Structure to be used for _____
3. How many acres in the above tract of land _____
4. Land is now being used for _____ Will Be used for _____
5. Owner's principal occupation _____
6. Name of person who is conducting farming operation _____
7. How many buildings are now on property - Houses _____ Barns _____

Signature of Owner

Subscribed and sworn to before me

this _____ DAY of _____

Notary Public

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AGRICULTURAL EXEMPT STRUCTURE FLOOR PLAN DIAGRAM

DATE OF APPLICATION: _____
OWNER OF PROPERTY _____
ADDRESS: _____
CITY: _____
TELEPHONE: _____
FIRE NUMBER (if one already assigned for farmstead): _____

Sketch floor plan labeling all rooms as to their uses and indicate locations and types of doors.

SITE PLAN FORM

Building & Community Services Division
Kane County Development Department

INSTRUCTIONS:

- Sketch your site plan below (do not tape or staple to this form)
- Show property lines and dimensions
- Indicate north direction
- Locate all existing and proposed new buildings with dimensions to property lines
- Show the location and names of street(s) and location of existing or proposed access
- Show septic field and well locations (if applicable)
- Indicate location and dimensions of all easements

Date: _____ Completed by: _____

SITE PLAN WAIVER REQUEST

Building & Community Services Division
Kane County Development Department

I do hereby request a waiver of the site plan requirement in regard to my application for a building permit. I attest that the information provided below and on the Site Plan Form is correct and accurate to the best of my knowledge.

Building permit application to construct: _____

Reason for waiver request: _____

Applicant Name: _____
Address: _____
City: _____ Zip Code: _____
Phone Number: _____

Date: _____ Completed by: _____

OFFICE USE ONLY - RETURN THIS FORM TO THE BUILDING PERMIT FILE

Building & Community Services Division

Approved _____
Not Approved _____ Reviewed by: _____ Date: _____

Subdivision & Zoning Division

Approved _____
Not Approved _____ Reviewed by: _____ Date: _____

Water Resources Department

Approved _____
Not Approved _____ Reviewed by: _____ Date: _____

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BUILDING AND ZONING SETBACKS AND REGULATIONS

A. NEW SINGLE FAMILY RESIDENCES – SETBACKS

1. Distance required from any road right-of-way is thirty-five (35) feet unless stipulated greater on zoning map or recorded plat. Some exceptions may exist in older neighborhoods.
2. Distance required from side and back lot lines is ten (10) feet and three (3) feet from any easement. Lots of record of fifty (50) feet or less in width: Distance required from side lot lines is five (5) feet.

B. ADDITIONS TO SINGLE FAMILY RESIDENCES

1. Lot line setbacks apply as stated above.
2. Distance from septic field – ten (10) feet. Distance from septic tank – five (5) feet.

C. DECKS

1. Decks and Patios not over three (3) feet above grade and not roofed over may encroach into a setback area, but must stay three (3) feet from any easement.

D. INGROUND POOLS/ABOVE GROUND POOLS

1. Lot line setbacks apply as stated in A, B, & C above.
2. Distance from septic tank and field – twenty-five (25) feet (Inground Pool) and ten (10) feet (Above Ground Pool).
3. Every person owning land on which there is situated a swimming pool shall erect and maintain adequate enclosure surrounding the property or pool area. Such enclosure must not be less than four (4) feet high with latching gate.
4. IF ABOVE GROUND POOL sides are four (4) feet high and NOT dug into the ground- a fence is not required; however, stairs need to be pulled up when not in use.

E. ACCESSORY BUILDINGS (DETACHED GARAGES/SHEDS/ BARNs)

ZONING RESTRICTIONS

1. Not more than two (2) detached buildings accessory to a residence are permitted.
2. On lots of two (2) acres or less in size, the detached accessory buildings or structures shall not exceed a combined total of nine hundred (900) square feet in total floor area under roof.
3. On lots greater than two (2) acres in size, but less than five (5) acres in size, the detached buildings or structures shall not exceed a combined total of one thousand eight hundred (1,800) square feet in total floor area under roof.
4. No accessory or incidental building or structure may be constructed on any lot prior to the time of construction of the principal building to which it is accessory.

SETBACKS

1. Distance required from any road right-of-way is thirty-five (35) feet unless stipulated greater on zoning map or recorded plat.
2. Side and Back Lot Lines
 - a. Distance required from side and back lot line is ten (10) feet and three (3) feet from any easement.
 - b. Lots of fifty (50) feet or less in width require a distance from side lot lines of five (5) feet.
 - c. If accessory building is placed back on lot seventy-five (75) feet or more from the front property line (road right-of-way line), the side and back lot line setback is reduced to a minimum of three (3) feet. If an easement is involved, a three (3) foot distance from the easement is required.
3. Agricultural animals must be housed and yarded no closer than one hundred (100) feet from any residence other than that of the owner or user of the property.

F. FENCES

1. Any privacy fence requires a building permit. A privacy fence is described as one that cannot be viewed through. Chain link or split rail fences do not require permits.
2. A fence can be placed up to the lot line with front side facing either direction. No height limit. Fences placed in drainage or other recorded easements shall not block or alter drainage and are governed by the recorded restrictive language of the easement.
3. Zoning Ordinance: Sec. 7.5-3

Within one hundred feet (100) of the center line of any intersecting road, street, railroad at grade, no fence or hedge which cannot be viewed through or over from a three foot (3') height above the traveled roadway shall be constructed, planted, or allowed to grow nearer to the road or street center line than the dimensions set in forth in Sec. 7.5-2.
4. No fence equipped with or having barbed wire, spikes or any similar device, or any electrically charged fence, sufficient to cause shock, shall be erected, placed or maintained on or within any lot used for residential purposes.



Kane County Water Resources Department
719 Batavia Ave.
Geneva, IL 60134
630-232-3497
630-208-3837 FAX

NOTICE TO HOMEOWNERS & BUILDERS

DATE: January 9, 2002
FROM: Paul M. Schuch, P.E., Director, Kane County Water Resources Department
SUBJECT: Kane County Stormwater Management Ordinance

When is a **Stormwater Permit** required?

In addition to your building permit, you may be required to obtain a **Stormwater Permit** from the Kane County Water Resources Department under the new **Kane County Stormwater Management Ordinance** which became effective January 1, 2002.

- For the typical single family residential project, including new construction, additions, fences, etc., a Stormwater Permit will only be required if any portion of your property falls within the **floodplain**.
- For multi-family and commercial projects, a Stormwater Permit will be required if there is either floodplain, or the disturbed area exceeds 5,000 square feet.
- For other projects that do not require a building permit from the Development Department, but exceed 5,000 square feet of disturbance or movement of more than 250 cubic yards of soil, a Stormwater Permit will be required.

Be aware that **even if a Stormwater Permit is not required, the Soil Erosion & Sediment Control section of the Ordinance must be followed and will be enforced.**

The entire Stormwater Management Ordinance is located on the Kane County website at www.co.kane.il.us

Copies of the Ordinance and Technical Manual are available for purchase from the Kane County Department of Environmental Management.

If you have questions regarding the requirement of a Stormwater Permit as it pertains to your project, please contact the Kane County Water Resources Department at 630-232-3497. We are located on the Ground Floor of Building "A" at the Kane County Government Center in Geneva.



A Stormwater Permit is Required

When **DISTURBING** > 5,000 square feet of ground

Or **MOVING** > 250 cu yds of soil or other material

(filling, excavating, grading, moving soil, topsoil stripping, leveling the ground, spreading excavated material, installing gravel, building a structure, or ag. exempt building)

Or if the Project is **LOCATED in the FLOODPLAIN**

(fence, shed, house, shoreline stabilization, piers/docks)

NO EARTHMOVING IS ALLOWED UNTIL A STORMWATER PERMIT HAS BEEN ISSUED

See Water Resources on the Ground Floor or at 630-232-3497 for more info

KANE COUNTY TOWNSHIP HIGHWAY COMMISSIONERS

Updated 11/2012

TOWNSHIP	COMMISSIONER	ADDRESS	PHONE #'S
AURORA	JOHN SHOEMAKER	220 BUTTERFIELD NORTH AURORA, IL 60542	Office: 630-892-0246
BATAVIA	CHRIS LONG	131 FINN DRIVE, SUITE B BATAVIA, IL 60510	Office: 630-879-5515
BIG ROCK	RICK RAUSCH	BOX 63 / 47W860 E. 2 ND ST. BIG ROCK, IL 60511	Office: 630-556-4331
BLACKBERRY	ROD FEECE	43W390 MAIN STREET ELBURN, IL 60119	Office: 630-365-9109
BURLINGTON	PETE HANSEN	BOX 129 / 434 S. MAIN ST. BURLINGTON, IL 60109	Office: 847-683-4848
CAMPTON	SAM GALLUCCI	5N790 IL ROUTE 47 MAPLE PARK, IL 60151	Office: 630-365-9300
DUNDEE	LARRY BRAASCH	1900 SLEEPY HOLLOW RD. DUNDEE, IL 60118	Office: 847-426-0898
ELGIN	RICHARD BURNIDGE	725 S. McLEAN ELGIN, IL 60123	Office: 847-741-4637
GENEVA	MARK T. WISSING	400 WHEELER DR. GENEVA, IL 60134	Office: 630-232-3608
HAMPSHIRE	STAN WALKER	100 CENTER ST. HAMPSHIRE, IL 60140	Office: 847-683-4485
KANEVILLE	DENNIS LONG	3S015 DAUBERMAN ROAD ELBURN, IL 60119	Office: 630-557-2773
PLATO	JOE HULKE	10N924 RIPPBURGER RD. ELGIN, IL 60124	Office: 847-464-5121
RUTLAND	JAY SCHULTZ	16N491 POWERS ROAD GILBERTS, IL 60136-9630	Office: 847-428-6789
ST. CHARLES	RON JOHNSON	1725 DEAN STREET ST. CHARLES, IL 60174	Office: 630-584-3496
SUGAR GROVE	GREG HUGGINS	BOX 465 / 70 1 ST ST. SUGAR GROVE, IL 60554	Office: 630-466-4274
VIRGIL	LARRY PETERSON	110 N. SUMMER, BOX 189 MAPLE PARK, IL 60151	Office: 815-827-3383