

KANE COUNTY DEVELOPMENT DEPARTMENT
 Zoning Division, Kane County Government Center
 719 S. Batavia Avenue
 Geneva, Illinois 60134
 Office (630) 444-1236 Fax: (630) 232-3411

4588

Received Date
JAN 31 2022
Kane Co. Dev. Dept. Zoning Division

**APPLICATION FOR ZONING MAP AMENDMENT
 AND/OR SPECIAL USE**

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 (s): 01-29-400-005
	Street Address (or common location if no address is assigned): 48W 075 RT. 72 HAMPSHIRE, IL 60140

2. Applicant Information:	Name GRAYDON FULLER	Phone 630-669-5882
	Address 1370 FORREST CT. MARCO ISLAND, FL 34145	Fax
		Email graydon.fuller53@gmail.com

3. Owner of record information:	Name FULLER ABBOTT PROPERTIES, LLC	Phone 630-669-5882
	Address 11N193 RUSSINWOOD CT. ELGIN, IL 60124	Fax
		Email graydon.fuller53@gmail.com

Zoning and Use Information:

2040 Plan Land Use Designation of the property: AGRICULTURE

Current zoning of the property: F WITH INTERIM SPECIAL USE

Current use of the property: FARM BLDG, RESIDENCE, EQUIPMENT STORAGE,
AGRICULTURAL BUSINESS (SPECIAL USE)

Proposed zoning of the property: P2

Proposed use of the property: SAME AS ABOVE

If the proposed Map Amendment is approved, what improvements or construction is planned? (An accurate site plan may be required)

NONE

Attachment Checklist

- Plat of Survey prepared by an Illinois Registered Land Surveyor.
- Legal description
- Completed Land Use Opinion (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 <http://dnr.illinois.gov/ecopublic/>) to be filed with the Illinois Department of Natural Resources. (* This report may best be accessed with Internet Explorer on some computers, per the State)
- List of record owners of all property within 250 feet of the subject property
- Trust Disclosure (If applicable)
- Findings of Fact Sheet
- Application fee (make check payable to Kane County Development Department)

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

FULLER ABBOTT PROPERTIES, LLC 11/23/2021
Record Owner Date

 11/23/2021
Applicant or Authorized Agent Date

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
Name of Development/Applicant

12-30-2021.
Date

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

SEE NEXT PAGE FOR ANSWERS 1-5

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

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

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

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

1. The uses in the area consist mostly of vacant farmland. 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 approximately 1,467 feet west of the village limits and is not contiguous to the village. See attached Addendum Petition.
2. The farmstand mentioned 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 January 10, 2011 and expires April 30, 2022. The balance of the surrounding properties are zoned F-Farming under the Kane County Zoning Ordinance.
3. Currently the tenant occupying approximately 90% of the buildings and most of the land is Synagro, 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. Due to the recession in the housing market that began in 2008, there has been no development in the immediate area.
5. The current and projected tenant of the property is Synagro Technologies. Synagro collects treated and dried sewage sludge from municipal and industrial wastewater facilities. The sludge can be used as fertilizer on agricultural cropland. It can also be bagged with other materials and marketed as "bio-solid compost" for use in agriculture and landscaping. This is essentially a recycling activity that benefits agriculture and aids in the disposal of the never-ending supply of treated wastewater sludge. Our site on Route 72 is used for the storage and light maintenance of Synagro trucks and equipment. No wastewater product is stored at this site.

ADDENDUM

PETITION FOR PERMANENT F2 ZONING

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 farmhouse and two farm buildings. Said property is located approximately 1,150 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 farmland 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 expiring April 30, 2017, was extended by subsequent petition and hearing to April 30, 2022.
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 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 permanent F-2 zoning pursuant to Article 8.1-2cc.
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 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 farmhouse would continue to be used for residential purposes.

8. Petitioner believes that the granting of permanent F-2 zoning 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 permanent F-2 zoning 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 F-2 zoning, is similar to the neighboring properties, and therefore will not diminish property values. Petitioner believes that the granting of the F-2 zoning 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 consistent with F-2 that Petitioner is proposing. The F-2 zoning 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 a permanent F-2 zoning for property described on Exhibit "B" attached hereto.

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

By: Paula J Fuller
Manager

Fuller Abbott Properties, LLC (*Synagro*)

Rezoning from F-District Farming with a five year Interim Special Use for storage and maintenance soil application and conditioning equipment to F2 District-Agricultural related sales, service, processing, research, warehouse and marketing with a Special Use to accommodate the same business

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, was renewed in 2017 and is set to expire in May of 2022. 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 rezoning is to utilize existing farmland or structures which may remain unused. 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 rezoning with the following conditions:

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 rezoning will allow the continued business use on the property.
2. Synagro's services are used by Kane County municipalities and farmers.

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

That part of the Southeast 1/4 of Section 29, Township 42 North, Range 6 East of the Third Principal Meridian, described as follows: Beginning at a point on the North line of said Southeast 1/4 153.27 feet West of the Northeast corner of said Southeast 1/4; thence South 89 degrees 25 minutes 18 seconds West along said North line 432.0 feet; thence South 0 degrees 45 minutes 07 seconds East and parallel with the East line of said Quarter, 548.0 feet; thence North 89 degrees 25 minutes 18 seconds East and parallel with the North line of said Quarter, 432.0 feet; thence North 0 degrees 45 minutes 09 seconds West and parallel with the East line of said Quarter 548.0 feet to the point of beginning, in Hampshire Township, Kane County, Illinois.

(THE ITEMS BELOW MUST BE COMPLETED PRIOR TO ACCEPTANCE.)

commonly known as..... 48 W 075 Route 72, Hampshire, IL 60140
Permanent Index No..... 01-29-400-005

S. 87° 25' 18" W 432.0

STATE ROUTE 72

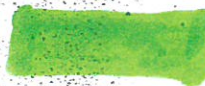
NORTH LINE OF S.E. 1/4 OF SECTION 29-42-6



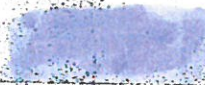
EQUIPMENT STORAGE



BUILDING B



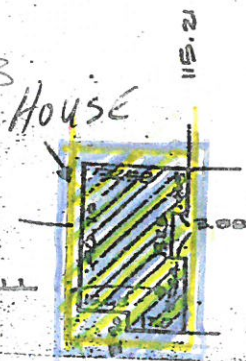
BUILDING A
2-STORY
FRAME



HOUSE

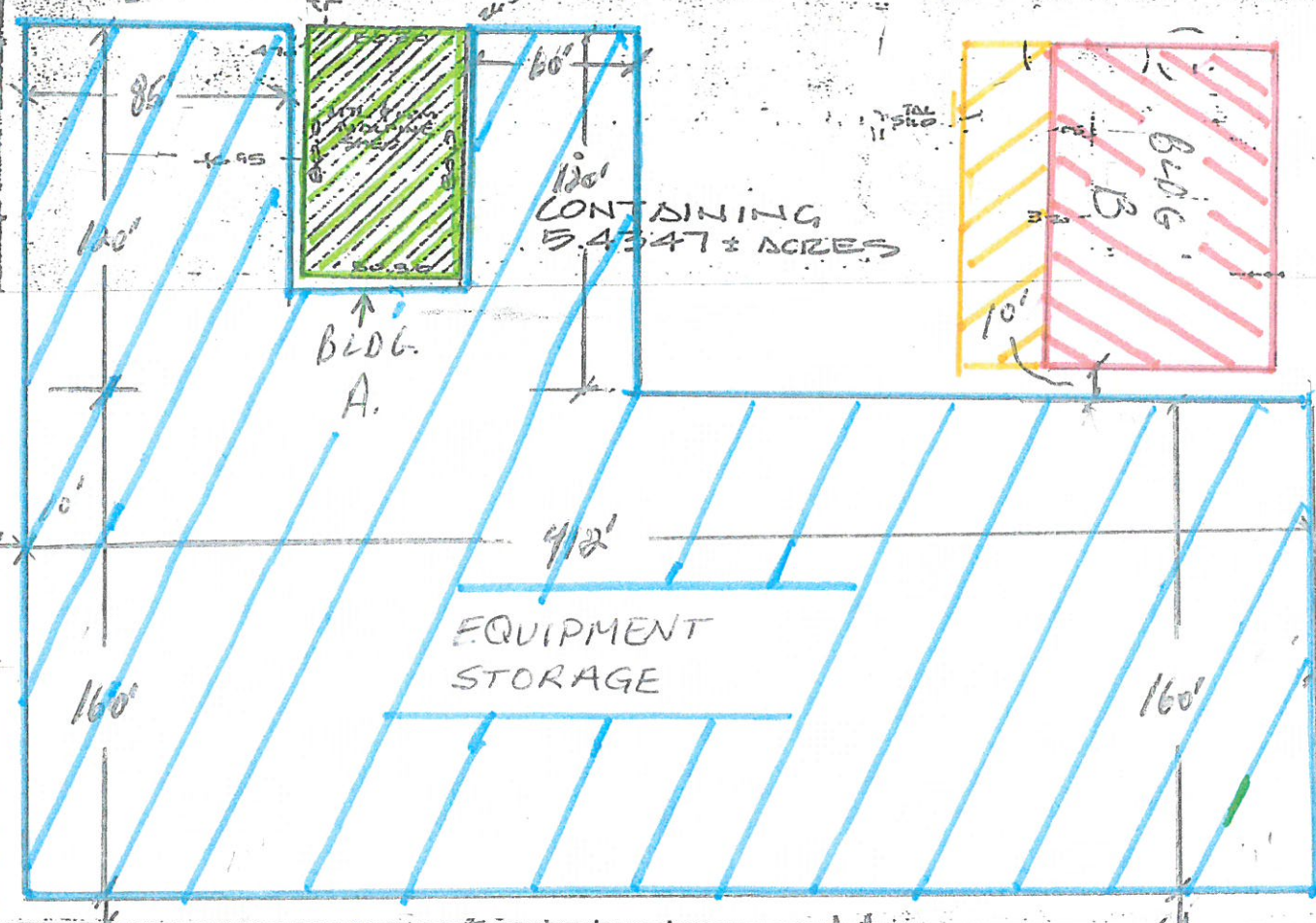


EMPLOYEE VEHICLE
PARKING



S. 0° 45' 03" E 548.0

N. 0° 45' 09" W 548.0



10'

10'

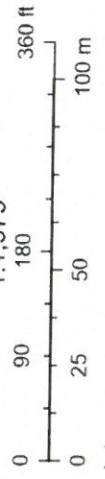
N. 29° 11' 0" E 437.0

Map Title



January 31, 2022

1:1,979

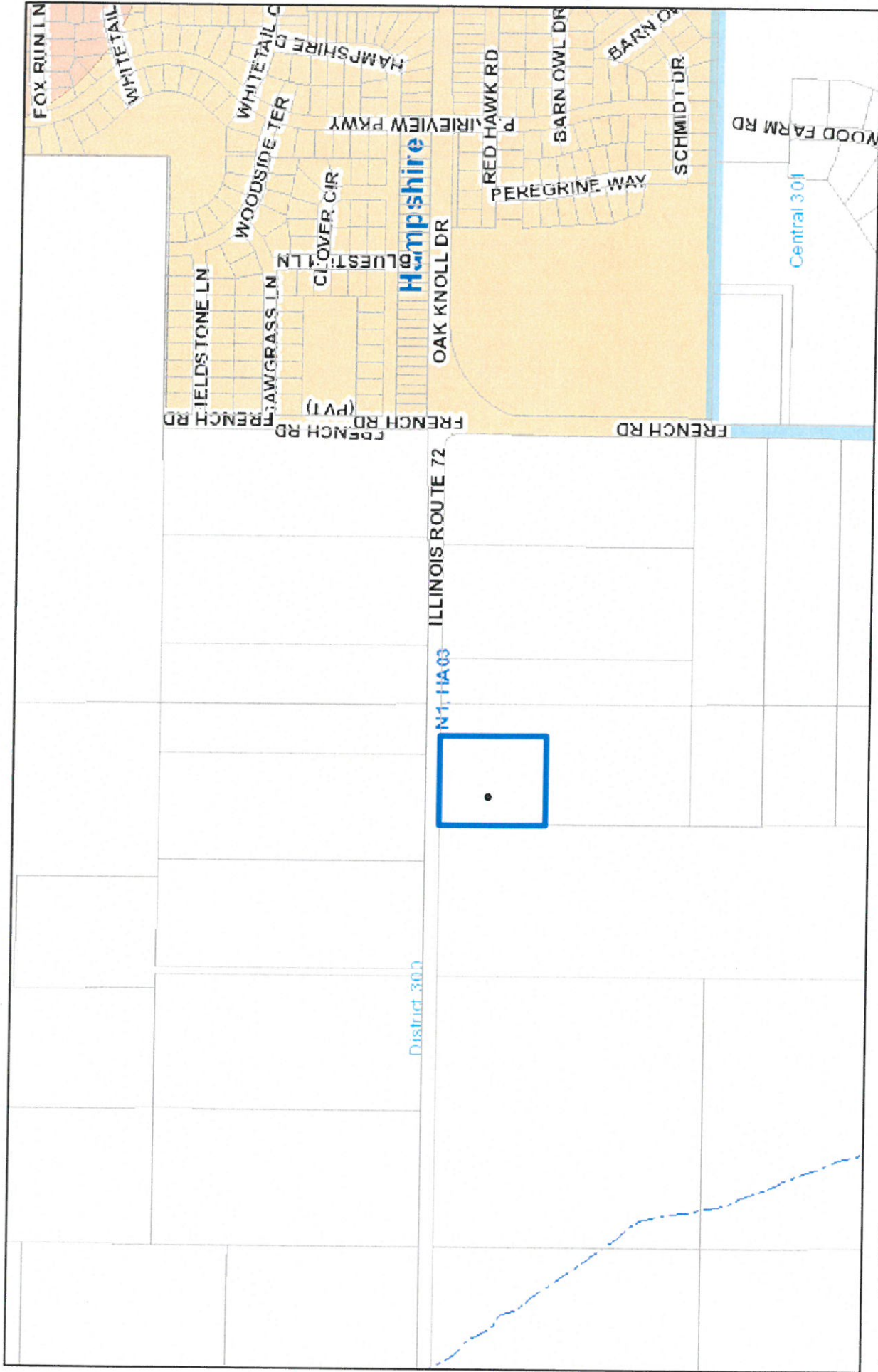


GIS-Technologies

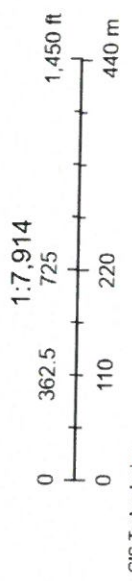
These layers do not represent a survey. No Accuracy is assumed for the data delineated herein, either expressed or implied by Kane County or its employees. These layers are compiled from official records, including plats, surveys, recorded deeds, and contracts, and only contains information required for local government purposes. See the recorded documents for more detailed legal information.

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Kane County Illinois

Map Title



January 31, 2022



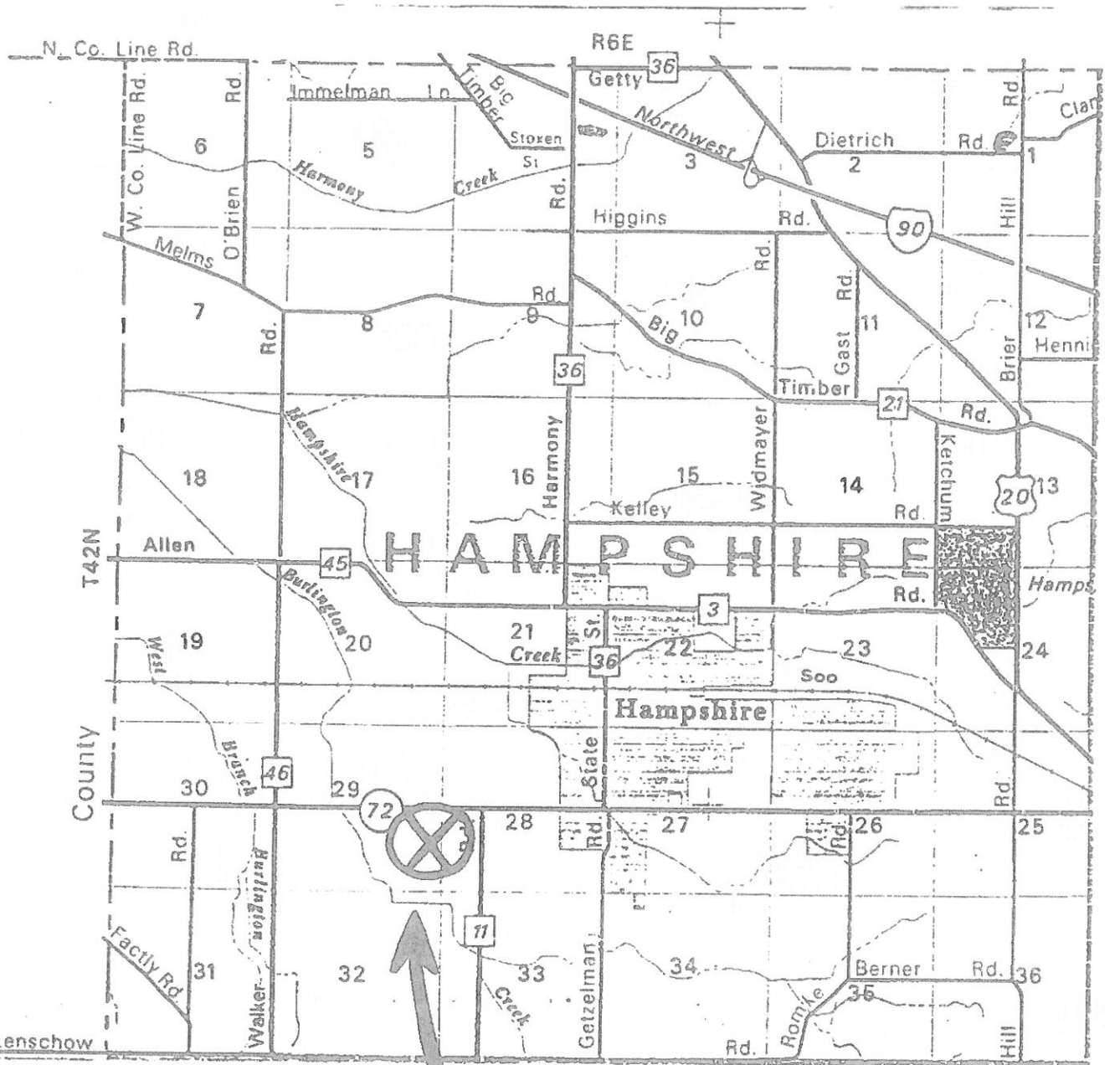
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Kane County Illinois

HAMPSHIRE twp.

T. 42 N. - R. 6 E

map 1





December 9, 2021

Village of Hampshire

Jay Hedges
234 S State St P O Box 457
Hampshire IL 60140

Re: Land Use Opinion

Application: #21-096
Petitioner: Fuller Abbott Properties, LLC
1370 Forrest Ct
Marco Island, FL 34145

Location Address: 48W075 Route 72, Hampshire
Location: Hampshire Township 42N Range 6E, Section 29, in Kane County

The application for a Land Use Opinion was sent to the Kane-DuPage Soil & Water Conservation District (KDSWCD) in compliance with Section 22.02a of the Illinois Soil and Water Conservation District Act.

According to the information received, a Land Use Opinion is not required at this time for the proposed zoning change. Therefore, no further action will be taken by the Soil and Water Conservation District Board. All LUO decisions are valid for **five** years for the stated purpose only. However, **if there are deviations from the submitted application or plan, a full LUO report may be required, and an application may need to be resubmitted.** If you have any questions concerning this letter, please contact KDSWCD office at the address or phone below. If you have any questions concerning this letter, please contact the KDSWCD office at the address or phone below.

Sincerely,

Jennifer Shroder
Resource Assistant