



COUNTY OF KANE

DEVELOPMENT & COMMUNITY SERVICES DEPARTMENT

Kane County Government Center
719 S. Batavia Ave, Geneva, IL 60134 - Building A | (630) 232-3485

PETITION SUMMARY

DATE: July 1, 2025
TO: Kane County Zoning Board of Appeals
FROM: Natalie Zine, Zoning Planner
SUBJECT: Petition No. 4661 "TNT Howard Solar 01"

GENERAL INFORMATION

APPLICANT

Timothy Meyer on behalf of TNT Howard LLC (Property Owner, LLC Agent, & Developer)

PROPERTY OWNER

Timothy Meyer, Trustee – TNT Revocable Trust

REQUESTED ACTION

A Special Use Permit in the F-Farming Zoning District to allow for the development of a commercial solar energy facility.

SUBJECT PROPERTY

Approximately 26 acres of a 49-acre parcel located in Elgin Township, Kane County, Illinois (PIN: 06-08-401-013)

PROJECT DESCRIPTION

The Applicant is requesting zoning approval for a Special Use Permit (SUP) to allow for the development of a 5 MW ac ground-mounted photovoltaic solar facility. See 'Project Narrative' for more information.

SUBMITTAL DOCUMENTS

An application requesting the Special Use was received by the County on May 16, 2025. All received application documents for Petition 4661 are available for review on the [Pending Zoning Petitions](#) page of the Kane County Website. See *"Exhibit A" Zoning Petition No. 4661 Submittal Documents attached*.

PUBLIC NOTICE

A Notice Letter was sent to all adjacent property owners within 250' of the subject property on June 13, 2025. Notice was published in the Daily Herald newspaper on June 14, 2025. And, a public hearing sign was posted on the subject property on June 12, 2025.

In addition to adjacent property owners, notice of this Petition was also sent to Kane County staff, Elgin Township Highway Commissioner, Elgin City Administrator, KDOT, School District 301, and the Pingree Grove & Countryside Fire Protection District.

REVIEW & ANALYSIS

ZONING

The subject property is currently zoned F-Farming District and bordered by E-3 Estate Residential and R-1 Single-Family Residential to the north, F-Farming District (Almora Heights Subdivision) to the east, F-Farming District (farmland) to the south, and F-Farming District (farmland) to the west. There have been no other zoning actions granted on the subject property in the past.

Section 25-8-1-2 of the Kane County Zoning Ordinance provides that "Solar Utility" is a Special Use in the F-Farming District; Section 25-5-4-9 of the Zoning Ordinance stipulates the rules and regulations for Commercial Solar Facilities.



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Per Section 25-5-4-9, the site plan for a commercial solar energy facility must meet the following criteria:

1. Occupied residential dwellings on nonparticipating properties shall be located no less than one hundred fifty (150) feet to the nearest point on the outside wall of the structure.
2. Boundary lines of participating property: none.
3. Boundary lines of nonparticipating property: fifty (50) feet to the nearest point on the property line of the nonparticipating property.
4. Public road rights-of-way: fifty (50) feet to the nearest edge of the public road right-of-way.
5. No component of a solar panel, cell or modules may exceed twenty (20) feet in height above the ground at full tilt.
6. Vegetative screening shall be provided for any part of the Commercial Solar Energy Facility that is visible to Non-participating Residence(s).
7. Landscaping screening shall be located between the required fencing and the property line of the participating parcel upon which the facility sits.
8. The vegetative screening shall include a continuous line of native evergreen foliage and/or native shrubs and/or native trees and/or any existing wooded area and/or plantings of tall native grasses and other native flowering plants.
9. A fence shall be installed around the perimeter of the facility area with a minimum height of eight (8) feet and not more than twenty-five (25) feet.

FUTURE LAND USE

The Kane County 2040 Plan recognizes solar power as an emerging source of renewable energy, but does not specify whether it is more or less suitable for particular land use areas. The proposed installation of the solar array would likely limit the conversion of the site from an agricultural use to a commercial or other non-agricultural use for the duration of the renewable energy lease term. The Resource Management land use category is intended to preserve open space within planned unit developments and be adaptive to municipal land use planning goals. The City of Elgin identifies the site area as planned for single family detached within its extraterritorial land use planning jurisdiction.

WATER RESOURCES

The Water Resources department has reviewed the Zoning Petition and recommends the following stipulations for approval:

1. This site contains Floodplain. No panels can be permitted in the Floodway. Any development in the Flood Fringe will need to provide compensatory storage, including fill created by solar racking. All panels in the Flood Fringe or adjacent to the Floodplain as defined by the Kane County Stormwater Ordinance will need to Flood Protected to 2 feet above the Base Flood Elevation. Survey will be required to delineate the Floodplain Boundaries on the site.
2. Water Resources will require a stormwater permit for this development. All submittals must be prepared by Professional Engineer licensed in the State of Illinois.
3. An engineer's report will be required. Should the site introduce more than 25,000 sq ft of impervious area or more than 3 acres of disturbance, stormwater detention will be required. This impervious area is calculated cumulatively since 2002 for a site as per the Stormwater Ordinance. The Engineer's report must demonstrate that the peak flow for the site with the proposed development is not increased, stormwater detention may be required for the development to ensure this. Any required Stormwater Detention Management will require a viable outfall and may require off-site work.
4. Should the site introduce more than 5,000 sq ft of impervious, a BMP will be required for all impervious surfaces.
5. A calculation for disconnected impervious area, created by the panels, will be required. A Best Management Practice will be required to encourage infiltration of runoff within the site.
6. The configuration of the solar panels shall be evaluated to identify any potential erosion concerns. Particular attention shall be given to erosion risks at the drip edges of the panels and in sloped areas. Appropriate best management practices must be implemented to mitigate these risks. BMPs may include, but are not limited to, pre-seeding or pre-vegetation of the site prior to panel installation to establish ground cover and reduce soil displacement.
7. A drain tile study will be required, including upstream and downstream tile systems that rely on the drain tiles within the site. Water Resources is looking for the protection of the tile system that is in place, including but not limited to replacement in kind and observation and cleanout structures.



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8. Plantings within the development will not interfere with drain tiles. Planting plan should address the placement of vegetation and trees with long root systems that can interfere with tile systems and cause off site issues including surcharged drain tiles and blow outs of the drain tile systems.
9. Soil samples shall be taken every 5 years from the site and analyzed for physical, chemical, and biological properties to demonstrate the soil health within the solar installations.
10. 80% vegetative coverage for plantings will be a requirement for the site.
11. A Wetland Delineation will be required. The Wetland Delineation shall meet the requirements of the Ordinance as described in Article VII Section 9-169 Requirements for a Wetland Delineation. Any Wetland Impacts must be mitigated.
12. Floodplain, Wetland, Compensatory Storage, BMPs and Stormwater Management must be placed in a Conservation or Drainage Easement.
13. The proposed site access will be located at the intersection of Brookside Drive and Almora Terrance; it will be 230 feet in length and shall be built to Elgin Township Subdivision Roadway Standards. The petitioner is required to obtain a temporary and final access permit from Elgin Township.

TRANSPORTATION

The Kane County Department of Transportation (KDOT) and the Elgin Highway Commissioner reviewed this Petition and provided the following comments. The proposed site access will be located at the intersection of Brookside Drive and Almora Terrance; it will be 230 feet in length and shall be built to Elgin Township Subdivision Roadway Standards. The petitioner is required to obtain a temporary and final access permit from Elgin Township.

ENVIRONMENTAL HEALTH

The Kane County Health Department reviewed this Petition and had no comments regarding the proposed use or site plan.

FIRE PROTECTION DISTRICT

The Pingree Grove & Countryside Fire Protection District reviewed this Petition had no comments.

ADDITIONAL REPORTS & ANALYSIS

- Results and recommendations from the Illinois Department of Natural Resources (IDNR) obtained through the **Ecological Compliance Assessment Tool (EcoCAT)** – *The IDNR evaluated this information and concluded that adverse effects are unlikely.*
- Resource Preservation Review from the **Illinois State Historic Preservation Office (SHPO)** – *SHPO determined that no significant historic, architectural, or archaeological resources will be affected within the proposed project area.*
- **Natural Resources Inventory (NRI) Report** from the Kane-DuPage Soil & Water Conservation District (SWCD) – *Based upon the LESA score and the Kane County Land Evaluation and Site Assessment, this tract warrants Low Protection effort from development.*
- Results of any **United States Fish and Wildlife Service's** Information for Planning and Consulting environmental review – *Baxter & Woodman Natural Resources, LLC (BWNR) completed a review of the USFWS consultation and provided documentation on how the proposed solar farm project will have "no effect" on each listed species.*
- Executed **Agricultural Impact Mitigation Agreement (AIMA)** with the Illinois Department of Agriculture
- Documentation demonstrating avoidance of protected lands as identified by IDNR and the Illinois **Nature Preserve Commission (INPC)** – *No State Dedicated Nature Preserves were identified in the vicinity of the proposed solar farm.*

Copies of each provided on the Kane County website under the petition number on the [Pending Zoning Petitions](#) page.

PUBLIC COMMENT

No written correspondence received as of June 30, 2025.



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RECOMMENDED STIPULATIONS

Should the Zoning Board of Appeals make a motion to recommend approval of this zoning request, staff recommends the following stipulations:

1. This site contains Floodplain. No panels can be permitted in the Floodway. Any development in the Flood Fringe will need to provide compensatory storage, including fill created by solar racking. All panels in the Flood Fringe or adjacent to the Floodplain as defined by the Kane County Stormwater Ordinance will need to Flood Protected to 2 feet above the Base Flood Elevation. Survey will be required to delineate the Floodplain Boundaries on the site.
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4. Should the site introduce more than 5,000 sq ft of impervious, a BMP will be required for all impervious surfaces.
5. A calculation for disconnected impervious area, created by the panels, will be required. A Best Management Practice will be required to encourage infiltration of runoff within the site.
6. The configuration of the solar panels shall be evaluated to identify any potential erosion concerns. Particular attention shall be given to erosion risks at the drip edges of the panels and in sloped areas. Appropriate best management practices must be implemented to mitigate these risks. BMPs may include, but are not limited to, pre-seeding or pre-vegetation of the site prior to panel installation to establish ground cover and reduce soil displacement.
7. A drain tile study will be required, including upstream and downstream tile systems that rely on the drain tiles within the site. Water Resources is looking for the protection of the tile system that is in place, including but not limited to replacement in kind and observation and cleanout structures.
8. Plantings within the development will not interfere with drain tiles. Planting plan should address the placement of vegetation and trees with long root systems that can interfere with tile systems and cause off site issues including surcharged drain tiles and blow outs of the drain tile systems.
9. Soil samples shall be taken every 5 years from the site and analyzed for physical, chemical, and biological properties to demonstrate the soil health within the solar installations.
10. 80% vegetative coverage for plantings will be a requirement for the site.
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ZONING STANDARDS

Section 25-4-8-2 of the Kane County Zoning Ordinance provides Standards for Special Use Permits; responses to these Standards have been provided by the Petitioner with their Zoning Application. The Zoning Board of Appeals shall not recommend approval of a special use unless it finds:

- A. That the establishment, maintenance or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare;
- B. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
- C. That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
- D. That adequate utility, access roads, drainage and/or other necessary facilities have been or are being provided;
- E. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets and roads;
- F. That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the county board pursuant to the recommendations of the zoning board of appeals.

NEXT STEPS

Petition 4661, the subject of this public hearing, will be considered by the **Development Committee** at its upcoming meeting currently scheduled for **10:30 a.m., Tuesday, July 15, 2025** 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 must signify their intention to do so by signing a sheet provided for such purpose at the meeting at which such petition is to be considered.

Petition 4661, the subject of this public hearing, will be considered by the **Kane County Board** at its upcoming meeting currently set for **9:45 a.m., Tuesday, August 12, 2025** 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 must file their intention to do so with the Zoning Enforcement Officer no later than the Friday preceding the County Board meeting at which the petition is to be considered.

ATTACHMENTS

- Exhibit A - Zoning Petition No. 4661 Submittal Documents



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“Exhibit A”

Zoning Petition No. 4661 Submittal Documents

Document	Meeting Date
4661_01_Kane County Zoning Application (05-16-25).pdf	7/1/2025 7:00 PM
4661_02_Standards of a Special Use Responses (05-16-25).pdf	7/1/2025 7:00 PM
4661_03_Project Narrative (05-16-25).pdf	7/1/2025 7:00 PM
4661_04_Ownership Documentation (05-16-25).pdf	7/1/2025 7:00 PM
4661_05_Plat of Survey (04-25-25).pdf	7/1/2025 7:00 PM
4661_06a_Manufacturer Specification Solar Panel (05-16-25).pdf	7/1/2025 7:00 PM
4661_06b_Manufacturer Specifications Inverter (05-16-25).pdf	7/1/2025 7:00 PM
4661_07_Noise Analysis (05-16-25).pdf	7/1/2025 7:00 PM
4661_08-Decommissioning Plan (04-23-25).pdf	7/1/2025 7:00 PM
4661_09_Draft Decommissioning Agreement (05-16-25).pdf	7/1/2025 7:00 PM
4661_12_Glare Study (05-16-25).pdf	7/1/2025 7:00 PM
4661_13_Legal Description (05-16-25).pdf	7/1/2025 7:00 PM
4661_17a_Geometric Site Plan General Information (05-16-25).pdf	7/1/2025 7:00 PM
4661_17b_Geometric Site Plan (12-16-24).pdf	7/1/2025 7:00 PM
4661_18_Landscape & Screening Plan (05-16-25).pdf	7/1/2025 7:00 PM
4661_20_EcoCAT Illinois Department of Natural Resources (IDNR) Review (06-24-24).pdf	7/1/2025 7:00 PM
4661_21_SHPO Illinois State Historic Preservation Office Review (01-29-25).pdf	7/1/2025 7:00 PM
4661_22_Natural Resources Inventory Report from SWCD (05-09-25).pdf	7/1/2025 7:00 PM
4661_23_US Fish & Wildlife Service Review (05-16-25).pdf	7/1/2025 7:00 PM
4661_24_U.S. Corps of Engineers - Not Applicable (05-16-25).pdf	7/1/2025 7:00 PM
4661_25_AIMA Agricultural Impact Mitigation Agreement (07-05-24).pdf	7/1/2025 7:00 PM
4661_26_Avoidance of Protected Lands (05-16-25).pdf	7/1/2025 7:00 PM
4661_27_DOT Road Use Approval & Fire Dept. Requirements (05-16-25).pdf	7/1/2025 7:00 PM
4661_28_Soil Study to Support Solar Development (05-16-25).pdf	7/1/2025 7:00 PM
4661_29_FEMA Floodplain Map (05-14-25).pdf	7/1/2025 7:00 PM
4661_30_Wetland Investigation (05-16-25).pdf	7/1/2025 7:00 PM
4661_31_Topographical Map (04-25-25).pdf	7/1/2025 7:00 PM
4661_32_Preliminary Drain Tile Investigation (05-16-25).pdf	7/1/2025 7:00 PM
4661_33_Preliminry Stormwater Report (05-16-25).pdf	7/1/2025 7:00 PM