

# APPLICATION FOR ZONING ACTIONS

MAP AMENDMENTS  
SPECIAL USES  
VARIATIONS

MY-16-08  
FILE NUMBER  
05-26-451-002  
PARCEL NUMBER

Name of Applicant: Dibble Family, LLC

Address: 5345 E. Greenfield Dr. City: Morris

State, Zip: IL 60450 Phone: 815-671-0575

Attorney: David J. Bzdill

Address: 105 W. Main St., P.O. Box 685 City: Morris

State, Zip: IL 60450 Phone: 815-942-0049

Owner of Property: Maplehurst Farms, Inc.

Address: 936 S. Moore Rd City: Rochelle

State, Zip: IL 61068 Phone: 815-562-8723

Address and Legal description of property: (May be attached) Address: 25330 E. Five Points Rd., Sycamore, IL 60178. See attached legal description.

---

---

---

---

## MAP AMENDMENTS OR SPECIAL USES

Existing Zoning District: A-1

Existing Use: \_\_\_\_\_

Proposed Map Amendment: \_\_\_\_\_

OR

Proposed Special Use: Agribusiness - propane storage facility

---

---

VARIATIONS

Zoning District: \_\_\_\_\_  
Existing Use: \_\_\_\_\_  
Requested Use: \_\_\_\_\_  
\_\_\_\_\_

OR

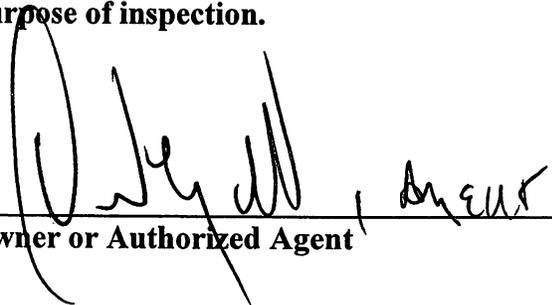
Required Setback: \_\_\_\_\_  
Requested Setback: \_\_\_\_\_

OR

Existing Requirements (Please Specify): \_\_\_\_\_  
\_\_\_\_\_

Requested Requirements (Please Specify): \_\_\_\_\_  
\_\_\_\_\_

**The undersigned grants the DeKalb County Planning Director or his/her designee and the Hearing Officer permission to enter upon the property described on this application for the purpose of inspection.**

  
\_\_\_\_\_  
Owner or Authorized Agent

6-27-16  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Received By

# HYNDS, YOHNKA, BZDILL & MCINERNEY, LLC

JOHN W. HYNDS  
DIANE YOHNKA JORSTAD  
DAVID J. BZDILL  
M. KATIE MCINERNEY

\_\_\_\_\_

mkm@hyndslawyers.com  
www.hyndslawyers.com

ATTORNEYS AT LAW  
105 WEST MAIN STREET  
P.O. BOX 685  
MORRIS, ILLINOIS 60450  
Telephone: (815) 942-0049  
Facsimile: (815) 942-0497

Associates  
ANNE HYNDS BZDILL  
AMANDA N. KING

\_\_\_\_\_

JOHN N. ROOKS  
OF COUNSEL

June 27, 2016

Paul Miller, AICP  
DeKalb County Planning Director  
110 East Sycamore Street  
Sycamore, IL 60178

Re: Dibble Enterprises  
25330 East Five Points Road,  
Sycamore, IL 60178

Dear Mr. Miller:

Enclosed please find the following listed documents for the application to allow the property at Five Points Road in Sycamore, Illinois to be used for a propane agribusiness:

1. Dibble Enterprises, Inc. check number 67741 in the amount of \$850.00;
2. Narrative for Proposed Special Use Application;
3. Pictures of current Dibble operations;
4. ALTA Survey (2);
5. Site Plan (2);
6. Existing Conditions Plat;
7. Eco Cat Natural Resources Review Report;
8. Natural Resource Information Report Application;
9. Special Use Requests;
10. Application for Zoning Actions;
11. Disclosure of Interest - Buyer;
12. Disclosure of Interest - Seller;
13. Letter form Maplehurst authorizing application;

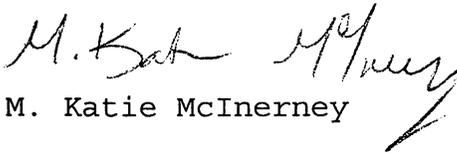
# **HYNDS, YOHNKA, BZDILL & MCINERNEY, LLC**

Paul Miller, AICP  
DeKalb County Planning Director  
June 27, 2016  
Page 2

14. DeKalb County Health Department Report; and
15. SPACECO Inc. Responses to Commitment Letter.

If you would like digital copies of the site plan or survey, please let me know. We would like to move forward quickly on this matter, please advise as to the next steps necessary.

Yours truly,

  
M. Katie McInerney

MKM/tmh

Enclosures: as listed above

**For APN/Parcel ID(s): 05-26-451-002**

That part of the North Half of the Southeast Quarter of Section 26, Township 41 North, Range 4 East of the Third Principal Meridian, DeKalb County, Illinois, bounded and described as follows: Commencing at a point on the centerline of a public road known as Five Points Road, or North First Street, distant 50.0 feet Northeasterly measured at right angle from the centerline of the main track of the Minnesota and Northwestern Railway Company (later the Chicago Great Western Railway Company, now the Chicago and Northwestern Transportation Company), as said main track centerline was originally located and established across said Section 26; thence Southeasterly parallel with said original main track centerline, 991.2 feet to the point of beginning of the parcel of land herein described, said point also known as Original (1910) Chaining Station 3084+38; thence Northeasterly at right angle to the last described course, 21.9 feet; thence Northwesterly parallel with said original main track centerline, 997.60 feet to a point on the centerline of said Five Points Road; thence Southerly along said centerline of Five Points Road, 52.05 feet to a point distance 21.9 feet, Northeasterly measured at right angle from the centerline of the main track of the Chicago and Northwestern Transportation Company (formerly the Chicago Great Western Railway Company), as said main track is now located; thence Southeasterly parallel with said last described main tract centerline, 982.99 feet to a point on a line drawn at right angle to said original main track centerline through the point of beginning; thence Northeasterly along said last described right angle line, 28.10 feet to the point of beginning, also that part of the North Half of the Southeast Quarter of Section 26, Township 41 North, Range 4 East of the Third Principal Meridian, DeKalb County, Illinois, bounded and described as follows: Commencing at a point on the centerline of a public road, known as Five Points Road or North First Street, distant 50 feet Northeasterly measured at right angles from the centerline of the main tract of the Minnesota and Northwestern Railway Company (later the Chicago Great Western Railway Company, now the Chicago and Northwestern Transportation Company), as said main track centerline was originally located and established across said Section 26; thence Southeasterly parallel with the original main track centerline, a distance of 991.2 feet to a point of beginning, also known as Original (1910) Chaining Station 3084+38; thence Southwesterly at right angles to the last described course, to a point 21.9 feet North of said railroad centerline to the point of beginning; thence continuing Southwesterly on the same course to the Southerly line of the said railroad (now abandoned); thence Northwesterly along Southerly line of said railroad right of way (now abandoned) to the centerline of Five Points Road; thence Northwesterly along the centerline of said road to a point 21.9 feet measured at right angles to said railroad centerline, Northerly of said centerline; thence Southeasterly to the point of beginning.



DISCLOSURE OF INTEREST

Pursuant to the requirements of State Statutes (55 ILCS 5/5-12009), please provide the names and addresses of all owners of the property for which the zoning action is requested. If ownership is by a corporation, provide the names and addresses of all officers and directors, and all stockholders owning any interest in excess of 20% of all outstanding stock of such corporation. If the petitioner for zoning action is a business or entity doing business under an assumed name, or if a partnership, joint venture, syndicate or an unincorporated voluntary association, provide the names and addresses of all true and actual owners of the business or entity, the partners, joint ventures, syndicate members or members of the unincorporated voluntary association.

Maplehurst Farms, Inc.

72% Owners:

President Lynette Carmichael - 815 S. Moore Rd, Rochelle, IL 61068

Sec/Treas Carol Hayenga - 11295 Mowers Rd, Kings, IL 61068

Directors:

Daniel Carmichael - 936 S. Moore Rd, Rochelle, IL 61068

Luke Carmichael - 12782 Route 64, Kings, IL 61068

Noah Carmichael - 1330 Sunset Terrace, Rochelle, IL 61068

Chuck Cole, Atty - 104 Oak Ave, Suite B, Rochelle, IL 61068

Fred Gent - 22048 Skyline Ct, Carlock, IL 61725

Roger Hayenga - 11295 Mowers Rd, Kings, IL 61068

Dick Thomas - 581 East Bodman, Bernert, IL 61813

General Manager - Scott DeVries - 8542 Olympia Dr., Byron, IL 61010

CFO/Controller - Barbara Koehnke, CPA - 4595 W. Clare Rd, Clare, IL 60111

## SPECIAL USE REQUESTS

Please provide responses to the following statements:

1. The proposed Special Use complies with all applicable provisions of the applicable district regulations. The use will be for agribusiness and is on land which is not currently being used for agriculture. No changes to the lot size are being made.

---

2. The proposed Special Use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or the public welfare at large? The proposed use will not create any noxious environment and will have a minimal impact on traffic, light, and noise. The proposed use will support the surrounding agricultural properties.

---

3. The location and size of the Special Use, the nature and intensity of the operation involved in or conducted in connection with the property, and the location of the site with respect to the street giving access to it are such that the Special Use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable Zoning District Regulations. In determining whether the Special Use will so dominate the immediate neighborhood, consideration shall be given to:

a. What are the location, nature and height of buildings, structures, walls and fence on the site? See attached exhibit. The current building will not be enlarged or expanded. Chainlink fences will be set up where indicated.

---

b. What is the nature and extent of proposed landscaping and screening on the proposed site? See attached exhibit. Gravel will be put down over the loading area.

---

4. Address off-street parking and loading area standards. There will not be any off-street parking.

---

---

---

5. Address drainage, utility and other such necessary facilities that have been or will be provided. No change to the existing facilities/utilities.

---

---

---

---

---

6. The proposed uses, where such developments and uses are deemed consistent with good planning practice or can be operated in a manner that is not detrimental to the permitted developments and uses in the district: can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; shall in all other respects conform to the applicable regulations of the district in which it is located; and are deemed essential or desirable to preserve and promote the public health, safety and general welfare of DeKalb County.

The proposed use is consistent with the surrounding development, supports agricultural properties,  
will not materially change the current property visually, and conforms to the DeKalb County regulations.

---

---

---

---

Narrative for Proposed Special Use Application  
DeKalb County, Illinois

**Background:** The site is located at 25330 Five Points Road, Sycamore, IL, at the northeast corner of the intersection of Five Points Road and Illinois Route 64. The property is currently zoned A-1. The property on three sides is zoned A-1 and is being farmed. There is a Residential Planned Development district on the west side of Five Points Road.

**Current Use:** The site is currently being used for a commercial roofing enterprise. The property previously had a Special Use permit for agribusiness, but the permit expired after a year of non-use. There is a building on the site.

**Proposed Use:** Dibble Family, LLC ("Dibble") is purchasing the property and is proposing to use the site for propane storage and loading for its existing propane business.

DeKalb County ordinances allow, as a special use in A-1, "Agribusiness, when the petitioner has proven that the business activity is directly and primarily used by those actively engaged in the pursuit of agricultural activities; that, at the time of the hearing, all local, state, and federal regulations will be complied with; and that the proposed agribusiness must be located in unincorporated DeKalb County." DeKalb County Zoning Ordinances 4.02(C)(1)(a).

Dibble provides propane to farmers. The new site would facilitate distribution to Dibble's current DeKalb county customers. Farmers and agribusiness account for 90% of Dibble's current customer base.

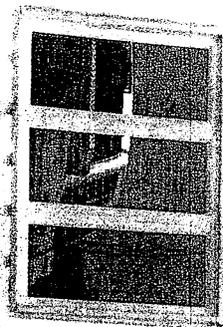
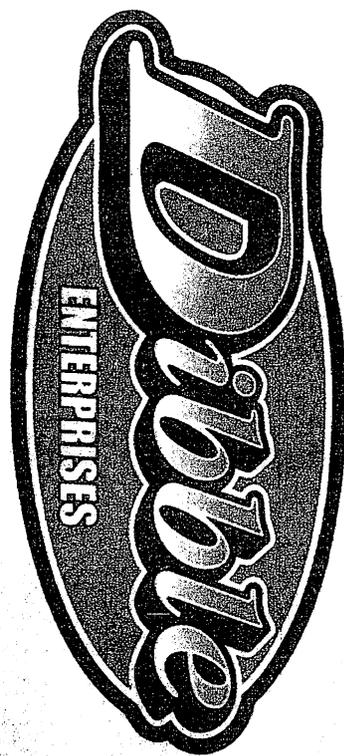
The proposed plan would be to keep the existing building on the site but to renovate the interior and upgrade the offices with new doors, windows and paint, similar to other Dibble locations. In addition to the existing building, Dibble expects to place two 30,000 gallon propane tanks in the northeast corner of the property and to cover the loading area with gravel. Dibble will erect a fence to enclose the tanks and office areas. Attached are photographs of existing Dibble sites, which demonstrate how professional and well-maintained his sites are.

Initially, the site expects 2-3 small trucks per day, three days a week. The site will be in use during daylight hours only. In peak season (fall/winter), after the business grows to capacity, Dibble expects only 6-8 trucks per day. Use of the site will only be by employees of Dibble.

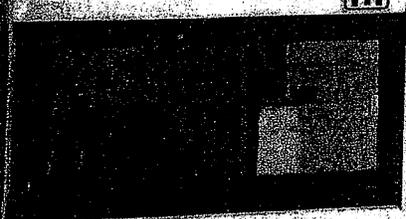
Use of the site for the propane business will not negatively affect the surrounding properties. Traffic to the site will not be materially increased by the proposed special use and will not cause

additional noise, odor, or light disturbances relative to its current use.

Allowing the special use will enable Dibble to increase propane services available to DeKalb county farmers and farm businesses and better serve the community. Given its location, size, and current use, this site is appropriate for the proposed special use.



OFFICE



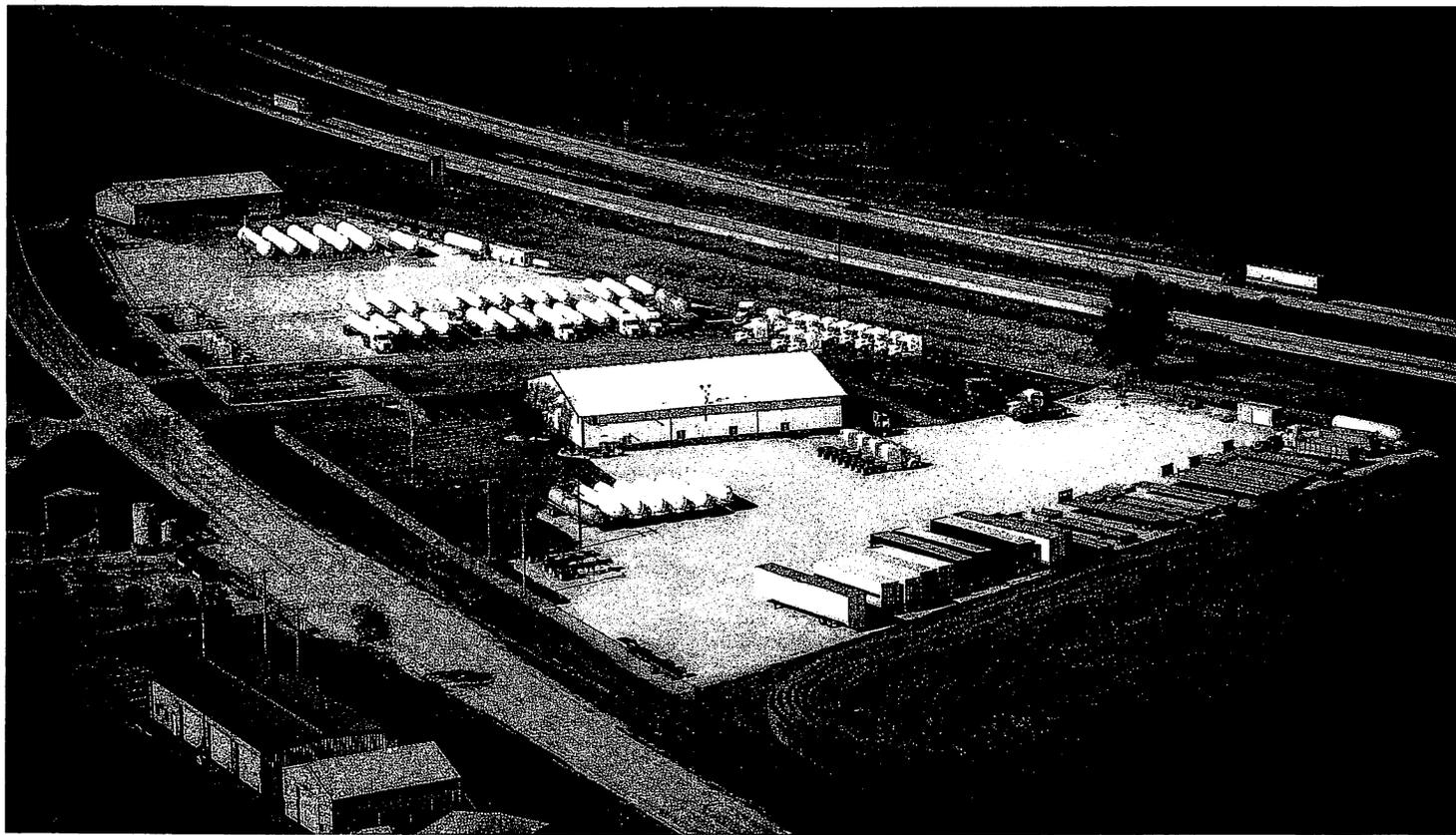


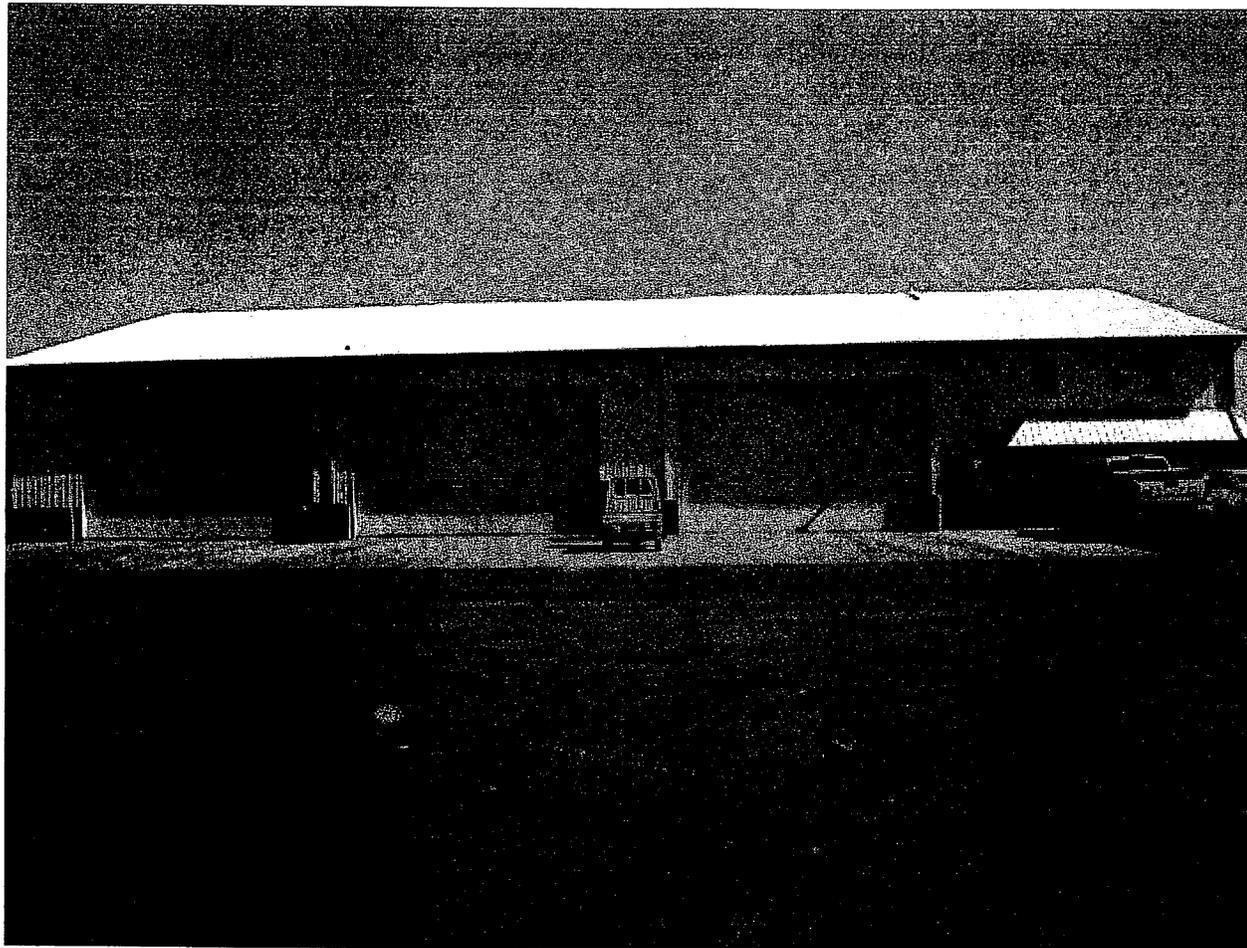


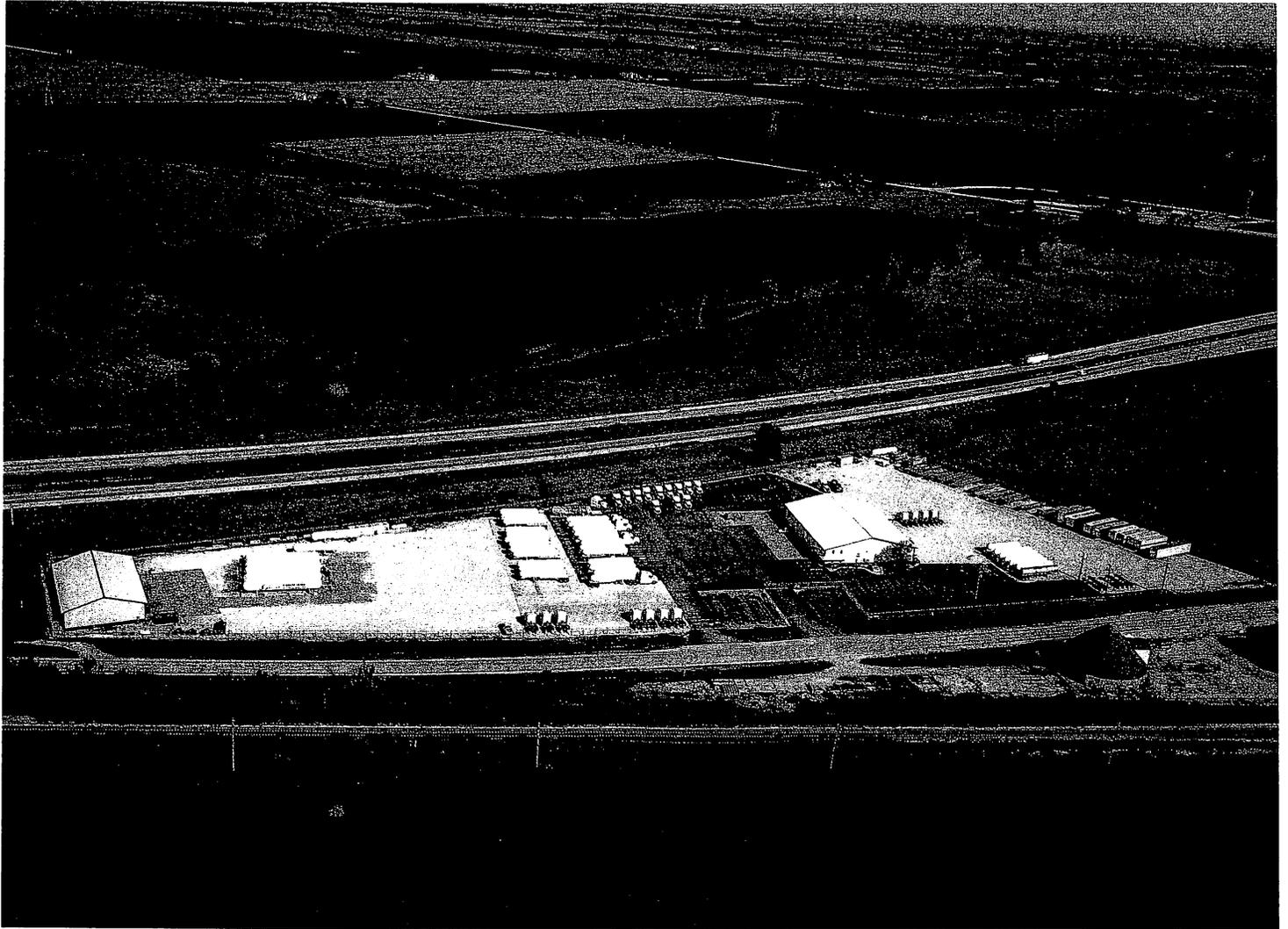


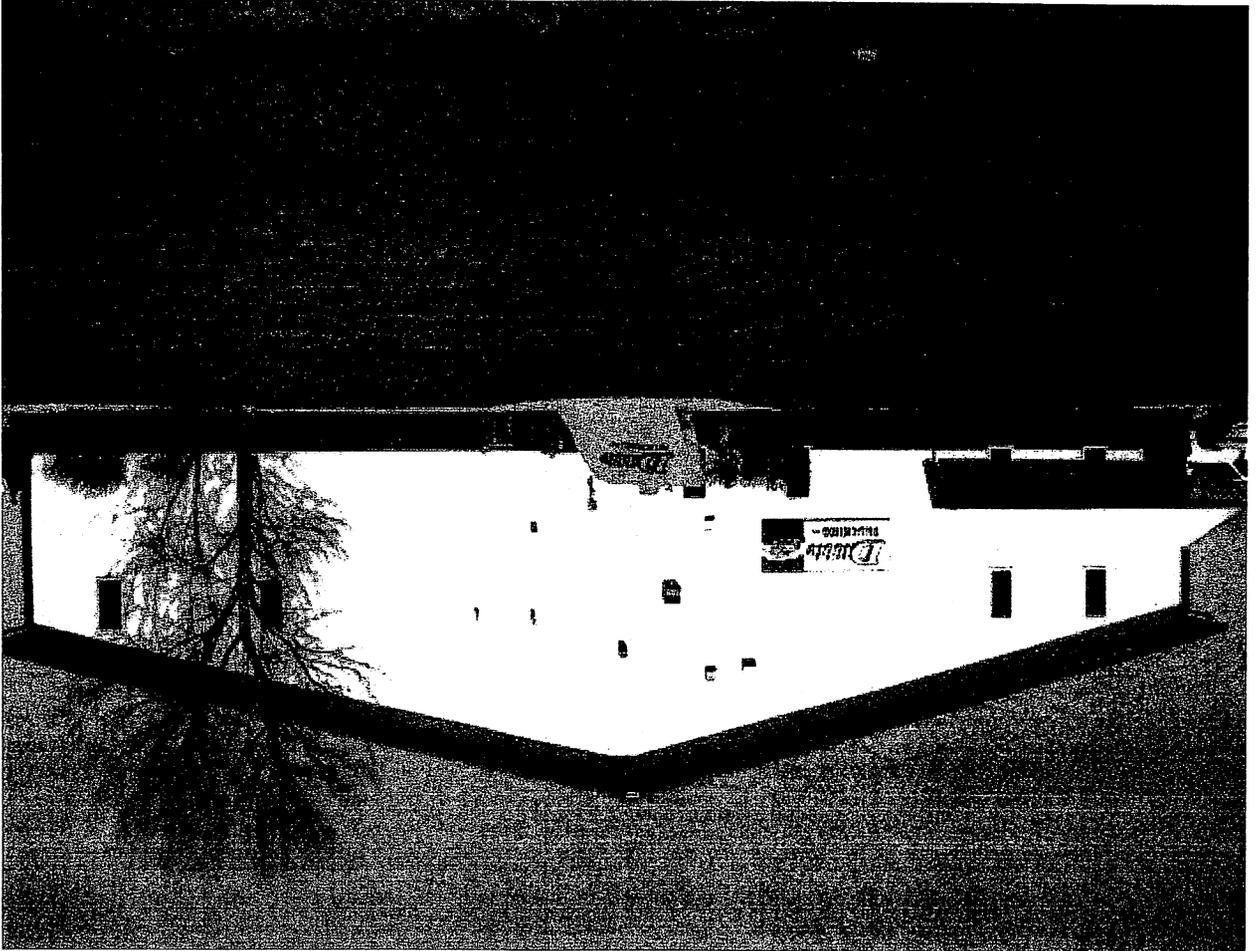












Trucking Office.JPG

6/27/2016

