STATE OF ILLINOIS)
) SS
COUNTY OF DEKALB)

ORDINANCE O2026-009

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A LARGE-SCALE AGRITAINMENT USE ON PROPERTY LOCATED AT 26673 MALTA ROAD IN SOUTH GROVE TOWNSHIP

WHEREAS, Rosalie Trump is seeking approval of a Special Use Permit to operate a large-scale agritainment use in the form of a business hosting small "educational farm workshops" on the property located at 26671 Malta Road, in South Grove Township, said subject properties being legally described as shown in Exhibit "A", attached hereto; and

WHEREAS, following due and proper notice by publication in the Daily Chronicle not less than fifteen (15) nor more than thirty (30) days prior thereto, and by mailing notice to all owners of property abutting the subject property at least ten (10) days prior thereto, the DeKalb County Hearing Officer conducted a public hearing on June 11, 2026, at which the petitioners presented evidence, testimony, and exhibits in support of the petition, and wherein testimony and correspondence was received from three members of the public expressing their support of the project; and

WHEREAS, the Hearing Officer having considered the evidence, testimony and exhibits presented has made his findings of fact and recommended that the Amendment be approved with conditions, as set forth in the Report of Proceedings and Recommendation of the DeKalb County Hearing Officer, a copy of which is appended hereto as Exhibit "B"; and

WHEREAS, the Planning, Zoning, & Development Committee of the DeKalb County Board having considered the testimony and exhibits from the public hearing and having considered the findings of fact and recommendation of the Hearing Officer, has forwarded to the County Board a recommendation of approval, with conditions, of the requested Amendment; and

WHEREAS, the DeKalb County Board having considered the Report of Proceedings and Recommendation of the Hearing Officer and the recommendation of the Planning, Zoning, & Development Committee, and has determined that has determined that granting the Special Use Permit to allow the operation of a large-scale agritainment use on the subject property would be consistent with the requirements established by Section 53-I-2.B.3 of the DeKalb County Code;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF DEKALB COUNTY, ILLINOIS, as follows:

SECTION ONE: The Report of Proceedings and Recommendation of the DeKalb County Hearing Officer, Exhibit "B", attached hereto, is hereby adopted as the findings of fact and conclusions of the DeKalb County Board.

small "educational farm workshops" on the property located at 26671 Malta Road, in South Grove Township, is hereby approved, said property being legally described in Exhibit "A" attached hereto.

SECTION THREE: This approval of a Special Use Permit is subject to the following conditions:

1. The properties shall be developed and operated in substantial conformity to the plans and exhibits submitted as part of the petitioner's Special Use Permit application and presented at the public hearing.

2. This Special Use Permit shall be in force and effect only so long as the business is owned and operated by Pasture Grazed LLC, or one of the owners thereof.

3. No more than twelve (12) workshops shall occur in a given calendar year.

4. No more than twelve (12) persons shall attend a given workshop.

5. The petitioner shall acquire a Building Permit for the residence to demonstrate that it will be in compliance with the currently adopted Building Code for commercial buildings, including provisions for fire protection. All Building Permits must be prepared, signed and stamped by an Illinois licensed Architect or Engineer. If said structure is not in compliance, it must be brought into compliance prior to being utilized.
   a. Copies of the Accessibility Compliance Forms completed, signed, and sealed by an architect or engineer registered with the State of Illinois, verifying that all public areas, including but not limited to: the buildings and structures accessible to the public; outdoor public gathering areas; and the parking area, will meet the required Federal and State Accessibility Codes.

6. The petitioner shall be in compliance with all applicable County Code requirements.
   a. The requirement that the parking area be paved, curbed, and landscaped shall be waived.
   b. Gravel parking spaces shall be provided with wheel stops.

7. Prior to operation, the petitioner shall verify they have received all the required permits and approvals from the DeKalb County Health Department.

SECTION FIVE: This Ordinance shall be in full force and effect upon its adoption by the County Board of DeKalb County, Illinois.

PASSED BY THE COUNTY BOARD THIS 19TH DAY OF AUGUST, 2026, A.D.

ATTEST:

Tasha Sims
DeKalb County Clerk

SIGNED:

John Frieders, Chair
DeKalb County Board

Exhibit "A"

Legal Description of the Subject Property

THAT PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 3 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID QUARTER; THENCE SOUTHERLY, ALONG EAST LINE OF SAID QUARTER, 1825.43 FEET FOR A POINT OF BEGINNING; THENCE WESTERLY AT RIGHT ANGLE TO SAID EAST LINE, 590.75 FEET; THENCE SOUTHERLY, AT RIGHT ANGLE TO THE LAST DESCRIBED COURSE, PARALLEL TO SAID EAST LINE, 162.00 FEET; THENCE WESTERLY AT AN ANGLE OF 98 DEGREES 59 MINUTES 00 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, 120.00 FEET; THENCE CONTINUING WESTERLY, AT AN ANGLE OF 178 DEGREES 00 MINUTES 00 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, 86.00 FEET; THENCE CONTINUING WESTERLY AT AN ANGLE OF 176 DEGREES 13 MINUTES 00 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, 43.00 FEET; THENCE CONTINUING WESTERLY, AT AN ANGLE OF 178 DEGREES 13 MINUTES 00 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, 173.00 FEET; THENCE NORTHERLY, AT AN ANGLE OF 89 DEGREES 20 MINUTES 00 SECONDS MEASURED COUNTERCLOCKWISE, FROM THE LAST DESCRIBED COURSE, 229.00 FEET; THENCE WESTERLY, AT RIGHT ANGLE FROM THE LAST DESCRIBED COURSE, 188.38 FEET; THENCE SOUTHERLY, AT AN ANGLE OF 90 DEGREES 18 MINUTES 00 SECONDS MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 860.61 FEET TO THE SOUTH LINE OF SAID QUARTER; THENCE EASTERLY, AT AN ANGLE OF 90 DEGREES 43 MINUTES 08 SECONDS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, ALONG SAID SOUTH LINE, 1195.13 FEET TO SAID EAST LINE; THENCE NORTHERLY, AT AN ANGLE OF 89 DEGREES 43 MINUTES 52 SECONDS MEASURED CLOCKWISE FROM SAID SOUTH LINE, ALONG SAID EAST LINE, 837.55 FEET TO THE POINT OF BEGINNING, ALL IN SOUTH GROVE TOWNSHIP, DEKALB COUNTY, ILLINOIS.

P.I.N.s: 04-21-100-015

Exhibit B

Rosalie Trump - SG-26-06
Petition for Special Use - Agritainment
Report and Recommendations

Petition:	SG-26-06
Date of Hearing:	June 11, 2026
Published Hearing Time:	1:00 p.m.
Property Address:	26673 Malta Road, South Grove Township
Location:	DeKalb County Administration Building Conference Room East 110 East Sycamore Street Sycamore, IL

Report of Proceedings and Recommendation

I. Summary of Proceedings

The petitioner seeks to host small "Educational Farm Workshops" on the subject property, which is owned by Daniel and Hattie Sanderson.The property is zoned A-1, Agricultural, and agritainment operations are a permitted special use in the A-1 District.

At hearing, present for the County were Derek Hiland, DeKalb County Planning Director, and Marcellus Anderson, Assistant Director. The petitioner, Rosalie Trump, was present to present her application and supporting materials, as were the property owners, Mr. and Mrs. Sanderson. Trent Sanderson was also present on behalf of the petitioner.

Received into the record at hearing were the following documents and information:

1. Public Notice and the legal description of the subject property.
2. DeKalb County Staff Report, with staff comments and recommendations, and attachments.
3. Correspondence and information from other responsible County agencies and/or other appropriate agencies, including the DeKalb County Health Department and DeKalb County Highway Department.

4. The petition and attachments submitted by Mr. Roberts, with attachments, specifically addressing the relevant County Ordinance criteria.

5. Correspondence from Chauncey and Brooke Watson in support of the application.

After a brief recitation of the hearing procedures by Assistant Director Anderson, the public hearing commenced at approximately 1:05 p.m.

The petitioner testified on the record as to the nature of the family-owned farm, and its principal current use as agricultural in nature. Petitioner then testified as to the proposed use, should her petition be granted by the County. She intends to hold agricultural-based educational workshops at variously scheduled times throughout the year, with a maximum of twelve (12) pre-registered attendees.

The sessions are intended to last no more than two (2) hours on each occasion, and each will be a stand-alone event. The sessions will likely run in Spring, Summer, and Fall, but a Winter session would be rare. The petitioner intends to make good use of the visual landscape of the surrounding farm and area as part of the overall experience for attendees.

The petitioner anticipates using the already-existing 20ft by 20ft kitchen area in the residence on the property. Just off that area within the home is a very large internal restroom, and the petitioner indicates additionally putting a handicap-accessible porta-potty adjacent to the required handicap parking area. Petitioner agreed to install the outdoor concrete pad for handicap parking, as requested by the County, as well. There was some correspondence from the County Health Department as to whether the outdoor handicap-accessible porta-potty would suffice, given considerations and requirements in prior unrelated hearings. I would note, however, that those prior hearings are distinguishable, as they involved different types of operations (a dog-kennel, for example) on different land-use properties.

The operation is to be solely family operated, with limited days and availability, and there are no plans to expand the limited days or to hire independent workers or employees.

Petitioner agreed to modify the plans to comply with the parking requirements, and indicated there will be no additional lighting or visual interference with neighbors' properties.

The only public comment at the hearing was from Rhonda Henke, of Mayfield Township, who stated she was very excited for this family and farm-friendly project to go forward.

Petitioner presented a statutory citation to a valid state statute, which states very plainly that a county cannot require a special use permit, special exception, or variance for "agricultural experiences" on property whose primary use, such as the petitioner's land, is agricultural production. **Exhibit B**

The term "agricultural experiences" is defined as **any** agriculture-related activity as a secondary use in conjunction with agricultural production, on a farm **open to the public** with the intended purpose of promoting or educating the public about agriculture, agricultural practices, agricultural activities, or agricultural products. 505 ILCS 10/5. Petitioner's description of the primary use of the subject property as agricultural production, and her intended limited additional use of agriculturally-related educational workshops, appears to fall within the criteria of this statute. There is some question as to whether the petitioner's farm is "open to the public" on a general and ongoing basis, however, so as to trigger the "agricultural experiences" exception to the special use process that the statute provides. I could not find any case law voiding or in any way invalidating any provision of this statute, however. It has been in effect since January 1, 2022, over four years, and a copy of the cited provision is attached to this report and recommendations.

There was also some discussion on the record as the applicability of disability-accessibility compliance, including the interior residential bathroom. From the testimony elicited, it would be an expensive and substantial modification to expand the interior residential bathroom to the scale needed to comply with both the Americans with Disabilities Act and/or the Illinois Human Rights Act. However, both statutory schemes carve-out exceptions for operations taking place wholly within a private residential building, provided that the residential building's uses are not wholly converted into a purely commercial facility. There are also graduated sliding scales in each statutory scheme related to cost, feasibility, and reasonableness. There was no evidence proffered that the primary residential nature of the petitioner's home will be wholly, or even substantially, converted into a primarily commercial operation, based on the very limited scope of operations outlined in her application. There was testimony by the petitioner that the interior residential restroom facility, already quite large, would require an expensive and substantial modification, however. I do not believe that either statutory scheme requires such substantial measures, in this primarily residential setting, additionally in light of petitioner installing a handicap-accessible restroom exterior to the residence and immediately adjacent to the designated handicap–accessible parking space.

If the county, after consultation with legal counsel regarding the cited statute, believes that the statute does not apply and a special use is indeed required, then I recommend approval of the special use application based on the applicable criteria of Section 53-I–2.B.3, subject to the following conditions:

Exhibit B

1. Petitioner shall conduct the described operations sought in the special use application in substantial conformity to those described in testimony at hearing and in the application materials.

2. Petitioner shall make the county staff-requested modifications to the parking area widths, lengths, and spacings, including the concrete-pad area which shall be handicap accessible, as outlined in the county staff report.

3. Petitioner shall place the handicap-accessible porta-potty of the type and in the location indicated, to assist any registered patrons who may need that accessibility.

Respectfully submitted,

Dale J. Clark
Hearing Officer

Exhibit B

(505 ILCS 10/1)
Sec. 1. Short title. This Act may be cited as the Agricultural Experiences Act.
(Source: P.A. 102-492, eff. 1-1-22.)

(505 ILCS 10/5)
Sec. 5. Agricultural experiences.
(a) In this Section, "agricultural experience" means any agriculture-related activity, as a secondary use in conjunction with agricultural production, on a farm which activity is open to the public with the intended purpose of promoting or educating the public about agriculture, agricultural practices, agricultural activities, or agricultural products.
(b) To assist in the promotion of agricultural experiences, a county shall not require a conditional use permit, special use permit, special exception, or variance for agricultural experiences on property of which the primary use is agricultural production.
(Source: P.A. 102-492, eff. 1-1-22.)