

APPENDIX A – APPLICATION FORMS

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

<i>Received Date</i>

**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): 10-25-400-006
	Street Address (or common location if no address is assigned): 02S512 Lorang Road; Elburn, IL 60119

2. Applicant Information:	Name TPE IL KN309, LLC	Phone 303-618-9570
	Address 3720 S. Dahlia Street Denver, CO 80237	Fax
	Contact: Scott Osborn, Developer	Email sosborn@tpoint-e.com

3. Owner of record information:	Name Michael Vondra.	Phone c/o Richard Guerard 630-665-9033
	Address 2250 Southwind Blvd	Fax
	Bartlett, IL 60103	Email

Zoning and Use Information:

2040 Plan Land Use Designation of the property: Primarily Agriculture, some Resource Management

Current zoning of the property: Farming (F), Special Use (SU 4564)

Current use of the property: Farming with Special Use for 3 Communication Towers

Proposed zoning of the property: Farming

Proposed use of the property: 5MW Ground Mounted Solar Energy Farm

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

Construction of a 5MW ground-mounted solar energy facility, including gravel access road, metal pile foundations, solar panel array, electrical cables, electrical poles, security fencing and gate, and planted vegetative buffers for visual screening.

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.


Record Owner

April 2, 2024

Date


Applicant or Authorized Agent

April 02, 2024

Date

PARCEL RECORDED LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST ¼ OF SECTION 25, TOWNSHIP 39 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH EAST CORNER OF SECTION 36, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTHERLY 360.4 FEET ALONG THE EAST LINE OF SAID SECTION 36; THENCE WESTERLY AT AN ANGLE OF 90 DEGREES, 30 MINUTES, 0 SECONDS MEASURED COUNTER CLOCKWISE FROM THE LAST DESCRIBED COURSE, 2648.22 FEET TO THE WEST LINE OF THE NORTH EAST 1/4 OF SAID SECTION 36; THENCE NORTHERLY, ALONG SAID WEST LINE AT AN ANGLE OF 89 DEGREES, 27 MINUTES, 10 SECONDS MEASURED COUNTER CLOCKWISE FROM THE LAST DESCRIBED COURSE 318.57 FEET TO THE SOUTH WEST CORNER OF THE SOUTH EAST 1/4 OF SAID SECTION 25; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTH EAST 1/4 AT AN ANGLE OF 179 DEGREES, 47 MINUTES, 29 SECONDS MEASURED COUNTER CLOCKWISE FROM THE LAST DESCRIBED COURSE 1143.43 FEET FOR A POINT OF BEGINNING; THENCE EASTERLY AT AN ANGLE OF 91 DEGREES, 42 MINUTES, 25 SECONDS MEASURED COUNTER CLOCKWISE FROM THE LAST DESCRIBED COURSE 2649.81 FEET TO A POINT ON THE EAST LINE OF SAID SOUTH EAST 1/4 THAT IS 1145.6 FEET NORTHERLY OF AS MEASURED ALONG SAID EAST LINE, THE SOUTH EAST CORNER OF SAID QUARTER THENCE NORTHERLY ALONG SAID EAST LINE AT AN ANGLE OF 91 DEGREES, 45 MINUTES, 41 SECONDS MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE 1503.4 FEET TO THE NORTH LINE OF SAID SOUTH EAST 1/4, THENCE WESTERLY ALONG SAID NORTH LINE AT AN ANGLE OF 87 DEGREES, 55 MINUTES, 29 SECONDS MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE 2651.71 FEET TO THE WEST LINE OF SAID SOUTH EAST 1/4; THENCE SOUTHERLY ALONG SAID WEST LINE AT AN ANGLE OF 92 DEGREES, 01 MINUTES, 15 SECONDS MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE 1488.82 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF KANEVILLE, KANE COUNTY, ILLINOIS.

PIN NO. 10-25-400-001

Special Use Area Description

Being a portion of a certain tract of land located in part of the southeast quarter of Section 25, Township 39 North, Range 6 East of the Third Principal Meridian, Kane County, Illinois conveyed to Michael P. Vondra and recorded in Document Number 2006K134944 in the Office of the Kane County Illinois Recorder and being more particularly described as follows: Commencing at a found 7/8-inch Iron pipe at the south quarter corner of said Section 25, thence along the west line of the southeast quarter of said Section 25, North 00°49'19" East a distance of 1,143.51 feet to a found 1-inch iron pipe at the southwest corner of the above referenced tract of land, thence along the southerly line of said above referenced tract of land, North 89°27'34" East a distance of 527.88 feet to the **POINT OF BEGINNING** of the herein described area of land;

Thence leaving said southerly line and continuing through said above referenced tract of land the following four courses and distances:

1. North 00°01'34" East a distance of 1,001.49 feet to a point;
2. North 89°47'18" East a distance of 615.20 feet to a point;

3. South 89°52'50" East a distance of 1,135.82 feet to a point;
4. South 00°00'01" West a distance of 984.88 feet to a point on said southerly line of the above referenced tract of land;

Thence along said southerly line, South 89°27'34" West a distance of 1,751.54 feet to the **POINT OF BEGINNING**;

Containing an area of 1,741,314 square feet or 39.975 acres more or less

Access and Utility Easement Description

Being a portion of a certain tract of land located in part of the southeast quarter of Section 25, Township 39 North, Range 6 East of the Third Principal Meridian, Kane County, Illinois conveyed to Michael P. Vondra and recorded in Document Number 2006K134944 in the Office of the Kane County Illinois Recorder and being more particularly described as follows: Commencing at a found 1/2-inch iron rod at the east quarter corner of said Section 25, thence along the east line of the southeast quarter of said Section 25, South 00°48'03" West a distance of 397.69 feet to the **POINT OF BEGINNING** of the herein described area of land; Thence continuing along said east line of the southeast quarter of Section 25, South 00°48'03" West a distance of 125.01 feet to a point;

Thence leaving said east line and through the above referenced tract of land the following three (3) courses and distances:

1. North 89°52'50" West a distance of 543.65 feet to a point;
2. North 00°00'00" West a distance of 125.00 feet to a point;
3. South 89°52'50" East a distance of 545.40 feet to the **POINT OF BEGINNING**;

Containing an area of 68,066 square feet or 1.563 acres more or less

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.*

Name of Development/Applicant

Date

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

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?

Findings of Fact Sheet – Special Use

Special Use Request

Date

- *The Kane County Zoning Board is required to make findings of fact when considering a special use.*
 - *Special Uses shall be considered at a public hearing before the Zoning Board of Appeals. In its report of findings of facts, recommendations shall be made to the County Board following the public hearing. The Zoning Board **will not** recommend a special use **unless** the following items are addressed:*
6. Explain how the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

7. Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity.

8. Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property.

9. Will adequate utility, access roads, drainage and other necessary facilities be provided? Please explain:

10. Will adequate measures be provided for ingress and egress and so designed to minimize the traffic and congestion? Please explain:

11. Will the special use conform to the regulations of the district in which it is located? Please explain:

**CERTIFICATION OF NOTIFICATION
OF PROPERTY OWNERS WITHIN 250 FEET OF SUBJECT PROPERTY**

Date: April 02, 2024

To: KANE COUNTY ZONING BOARD OF APPEALS

From: TPE IL KN309, LLC

3720 S. Dahlia St.

Denver, CO 80237

(Ph #) 303-618-9570

The undersigned, being sworn upon this oath, deposes and says that the list below includes the names and addresses of all owners of property within 250 feet of the property referred to in petition for

(circle one) Variance Rezoning Special Use

for the purpose of Solar Energy Development

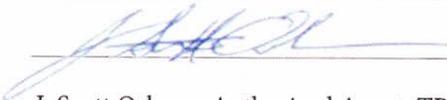
and, further, that all persons owning property within 250 feet of the parcel referred to in petition have been notified of the intent of the petitioner(s).

Petitioner's property is located in Section 25, Township Kaneville, County of Kane. (Legal Description Attached)

List names of property owners below. (Property Owners do not have to sign this form)

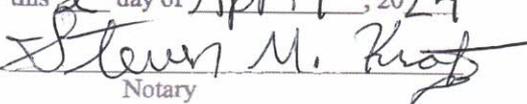
NAME	ADDRESS (street, city, state and zip code)
<u>Please See Attached</u>	<u>Please See Attached</u>
<u> </u>	<u> </u>

By:



J. Scott Osborn, Authorized Agent, TPE IL KN309, LLC
(Property Owner or Agent)

Subscribed and sworn to before me

this 2 day of April, 2024

Notary

STEVEN M KRATZ
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MASON
My Commission Expires April 23, 2024
Acting in the County of Kalamazoo

TPE IL KN309, LLC within 250' of the project parcel 10-25-400-006 boundary.

Neighbor			
FOREST PRESERVE DISTRICT OF KANE COUNTY	1996 S KIRK RD GENEVA, IL 60134	10-25-200-016	Letter emailed to Mr. Haberthur & Ms. Figliozi. 02Apr2024
STOKES, DANNY	35W160 BUTTERFIELD RD BATAVIA, IL 60510	10-25-200-003	USPS Cert Mail: 9589 0710 5270 0650 5143 29 02Apr2024
KANEVILLE LLC	400 W 1ST ST ELMHURST, IL 60126	10-25-200-001	USPS Cert Mail: 9589 0710 5270 0650 5143 36 02Apr2024
Parcels also owned by project landowner			
CREEK PARTNERS, LLC	2250 SOUTHWIND BLVD BARTLETT, IL 60103	10-25-100-004 10-25-300-005	Letter emailed to Attorney Richard Guerard 02Apr2024
SOUTHWIND FINANCIAL LTD	2250 SOUTHWIND BLVD BARTLETT, IL 60103	10-25-400-003 11-30-300-002	Letter emailed to Attorney Richard Guerard 02Apr2024
GIFFORD 300 LLC	2250 SOUTHWIND BLVD BARTLETT, IL 60103	11-30-100-003 11-30-300-005 11-30-300-006	Letter emailed to Attorney Richard Guerard 02Apr2024