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**CERTIFICATION OF NOTIFICATION
OF ADJACENT PROPERTY OWNERS**

Date: March 12, 2020

To: KANE COUNTY ZONING BOARD OF APPEALS

From: Gerard and Judy Fabrizius Meredith, 4N859 Meredith Road, Maple Park, IL
60181, and; Catholic Diocese of Rockford, 100 Park Ave / PO Box 1389
Rockford, IL, 61105-1389

c/o Development Properties, Inc., by John A. Thornhill, President

44 White Oak Circle, St. Charles, IL 60174-4165

(Ph #) 630-584-3303

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

Variance Rezoning Special Use

for the purpose of expanding and bringing into compliance an existing cemetery

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

Petitioner's property is located in the Northeast Quarter of Section 22, Virgil Township, County of Kane (Legal Descriptions attached at exhibit "A").

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

KEIFER, JOHN C. & ELLEN S. KIEFER, 07-22-100-006
CO-TRUSTEES & YVONNE KEIFER
4S714 HARTER RD.
SUGAR GROVE, IL, 60554-9639

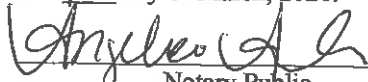
FABRIZIUS, GERARD J. & JUDY W. 07-22-200-011
4N859 MEREDITH RD.
MAPLE PARK, IL 60151

KEIFER BROTHERS FARMS, LLC, 07-22-100-003
JEFFERY C. KEIFER
47W809 WINTERS RD.
MAPLE PARK, IL 60151-8476

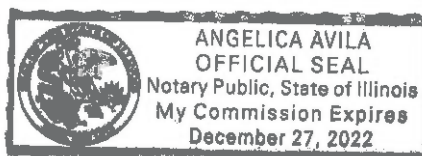
By: _____


John A. Thornhill, President DPI

Subscribed and sworn to before me
this 12 day of March, 2020.



Notary Public



KANE COUNTY DEVELOPMENT DEPARTMENT
Subdivision and Zoning Division, Kane County Government Center
719 Batavia Avenue
Geneva, Illinois 60134
Office (630) 232-3492 Fax: (630) 232-3411

Received Date

4545

MAR 1 9 2000

Kane Co. Dev. Dept.
Zoning Division

SPECIAL USE APPLICATION

Instructions:

To request a special use 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 help you.

1. Property Information:	Parcel Number (s): Parts of 07-22-200-004 & 07-22-200-011
	Street Address (or common location if no address is assigned): East side of Meredith Road, approximately 0.3 mile south of Winters Road. Maple Park, IL 60151

2. Applicant Information:	Name Development Properties, Inc. John A. Thornhill, President	Phone 630-584-3303
	Address 44 White Oak Circle, St. Charles, IL 60174-4165	Fax 630-584-3303
		Email JATLDC@sbcglobal.net

3. Owner of record information:	Name (A) Gerard J. & Judy W. Fabrizius (B) Catholic Bishop of Rockford	Phone 913-485-8151
	Address (A) 4N859 Meredith Road, Maple Park, IL 60151 (B) 100 Park Avenue/PO Box 1389, Rockford, IL 61105-1389	Fax
		Email

Zoning and Use Information:

2040 Plan Land Use Designation of the property:

Farming

Current zoning of the property:

F District-Farming

Current use of the property:

Cemetery and farming

Proposed special use of the property:

Section 8.1-2 Special Uses, (f) Cemeteries for human beings, including therein mausoleums and/or crematory.

If the proposed Special Use/Map Amendment is approved, what improvements or construction is planned?

The only new infrastructure to be installed will be driveways to accommodate funeral services.

Attachment Checklist

- Plat of Survey prepared by an Illinois Professional Land Surveyor= **Exhibit "C"**.
- Legal description = **Exhibit "A"**.
- Completed Land Use Opinion application (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 www.dnr.state.il.us/orcp/nrrc/aar.htm) to be filed with the Illinois Department of Natural Resources.
- List of record owners of all property adjacent & adjoining to subject property
- Aerial (air photo) with property clearly highlighted contact: ~~The Sidwell Co., 675 Sidwell Dr., St. Charles, IL (630) 549-1000~~; See KC GIS Aerial Photo (**Exhibit "B"**).
- Trust Disclosure (If applicable)
- Findings of Fact Sheet
- Application fee (make check payable to Kane County Development Department) **\$1500.00**
- Site plan drawn to scale to demonstrate property can meet requirements of proposed zoning district (parking requirements, setbacks, landscaping, etc.).

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: Gerard J. Fabrizio, & Judy W. Fabrizio, 4N859 Meredith Road, Maple Park, IL 60151

By: Gerard J. Fabrizio Judy W. Fabrizio 3/11/2020
Gerard J. Fabrizio Judy W. Fabrizio Date

Record Owner: Catholic Bishop of Rockford, 100 Park Avenue/PO Box 1389, Rockford, IL 61105-1389
c/o St. Peter and St. Paul Church of Virgil, a religious corporation.

By: Glenn L. Nelson Feb 27, 2020
Glenn L. Nelson, Vice President Date

John A. Thornhill 3/11/2020
Applicant or Authorized Agent: John A. Thornhill, President, DPI Date

Findings of Fact Sheet – Special Use

St. Peter & Paul Cemetery Special Use
Special Use Request

February 14, 2020
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:*

1. 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.
The Special Use to expand and bring the cemetery which has been in existence since 1876 into compliance, should have no detrimental effect on surrounding properties.

2. Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity.
The existing and proposed use is passive, requires no significant infrastructure except driveways to accommodate funeral services, and will not prevent anyone in the vicinity of the subject premises from the full enjoyment and use of their property.

3. Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property.
The Special Use is passive and presents no obstacle to potential development of surrounding properties.

4. Will adequate utility, access roads, drainage and other necessary facilities be provided? Please explain:
Yes; only required infrastructure will be driveways to accommodate funeral services.

5. Will adequate measures be provided for ingress and egress and so designed to minimize the traffic and congestion? Please explain:
Existing access to premises has been satisfactory and in place since 1876; no changes are required.

6. Will the special use conform to the regulations of the district in which it is located? Please explain:
Yes; the special use is passive with no significant infrastructure and is consistent with the existing F District-Farming classification.

LAND USE OPINION APPLICATION

Kane-DuPage Soil and Water Conservation District
2315 Dean Street, Suite 100, St. Charles, IL 60175-4823
(630) 584-7961 Ext. 3

Send report to:

PETITIONER: Development Properties, Inc.

ADDRESS: 44 White Oak Circle

St. Charles, Illinois 60174-4185

EMAIL: JATLDC@sbcglobal.net

CONTACT PERSON: John A. Thornhill

TELEPHONE: 630-584-3303

Please allow 30 days for inspection and processing.

FOR OFFICE USE ONLY	
LUO# _____	Date Due _____
Date initially rec'd _____	
Date all rec'd _____	Date completed _____
Fee Paid _____	Refund Due _____
By _____	Overpayment _____
	No Report Nec _____
	Gov't Agency _____

Location:

Township _____ Virgil _____

Section(s) _____ SW 1/4 NE 1/4 of 22 _____

Township(s) _____ 40 N Range(s) _____ 6 E _____

- TYPE OF PROPOSAL:**
- Change in Zoning from _____ to _____ Project or Subdivision Name St. Peter & Paul Cemetery
 - Subdivision or Planned Unit Development (PUD)
 - Variance-Please describe fully on separate sheet
 - Special Use Permit-Please describe fully on separate sheet

Unit of Government Responsible for Permits Kane County Development Department Date of Public Hearing _____

Current Use of Site Cemetery-farming Proposed Use Expansion of cemetery

Surrounding Land Use Farming in all directions Number of Acres 2.6

Location address (or nearest intersection) On east side of Meredith Road 0.3 mile south of Winters Road

PROPOSED IMPROVEMENTS: (check all applicable items)

Planned Structures:

Dwellings w/o Basements

Dwellings with Basements

Commercial Buildings

Other Burial ground

Open Space:

Park/Playground Areas

Common Open Space Areas

Other _____

Water Supply:

Individual Wells

Community Water

Wastewater Treatment:

Septic System

Sanitary Sewers

Other None

Stormwater Treatment:

Drainage Ditches or Swales

Storm Sewers

Dry Detention Basin

Wet Retention Basin

No Detention Facilities Proposed

Other None

EXISTING SITE CHARACTERISTICS: (check all applicable items)

Ponds or Lakes

Floodplain

Woodland

Drainage Tiles

Stream(s)

Wetland(s)

Floodway

Cropland

Disturbed Land

Other Cemetery

REQUIRED: INCLUDE ONE COPY EACH OF THE FOLLOWING--Processing will not begin without the following:

APPLICATION completed and signed

FEE according to schedule below

PLAT OF SURVEY/SITE PLAN showing legal description, legal measurements

SITE /CONCEPT PLAN showing lots, streets, storm water detention areas, open areas, etc.

LOCATION MAP (if not on maps above)-include distances from major roadways or tax parcel number

IF AVAILABLE - NOT REQUIRED:

ZONING or LAND USE PETITION filed with unit of government (if relevant)

TOPOGRAPHY MAP OR WETLANDS DELINEATIONS

FEE AMOUNTS: last updated November 1, 2013

\$423.00 for 1 - 3 acres or fraction thereof

\$459.00 for 4 - 5 acres or fraction thereof

For 5 - 200 acres see chart

> 200 acres: ADD \$14.00 for each additional acre or fraction thereof over the 200 acre amount.

\$65.00 processing fee if no report is required

***If there is more than one parcel in question and they are non-contiguous please contact KDSWCD for fee amount. ***

MAKE CHECKS PAYABLE TO: Kane-DuPage Soil and Water Conservation District

I (we) understand the filing of this application allows the authorized representative of the Kane-DuPage Soil and Water Conservation District to visit and conduct an evaluation of the site.

Petitioner or Authorized Agent

Date 01/14/20

This opinion will be issued on a nondiscriminatory basis without regard to race, color, religion, sex, age, marital status, handicap, or national origin.

Kane - DuPage Soil & Water Conservation District



January 15, 2020

Kane County Development Department
Keith Berkhout
719 South Batavia Avenue
Geneva, IL 60134

Correction:

We have assigned number 20-004 to a Land Use Opinion Applications from:

Development Properties, Inc.
44 White Oak Circle
St. Charles, IL 60174

The site location is:

Virgil Township
Section 22, Township 40N, Range 6E

The application was sent to us in compliance with Section 22.02a of the Illinois Soil and Water Conservations Districts Act.

_____ Our review and comments will be sent on or before _____.

X According to the information received, a full Land Use Opinion report is not required at this time. Therefore, no further action will be taken by the Soil and Water Conservation District Board.

Sincerely,

Jennifer Shroder
Resource Assistant

cc: John Thornhill

Applicant: John A. Thornhill
Contact: John A. Thornhill
Address: c/o Development Properties, Inc.
44 White Oak Circle
St. Charles, IL 60174

IDNR Project Number: 2005587
Date: 01/17/2020
Alternate Number: 2020-003

Project: St. Peter & Paul Cemetery
Address: East side of Meredith Road 0.3 mile south of Winters Road, Maple Park, IL

Description: Special Use is being sought to allow expansion of existing cemetery.

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

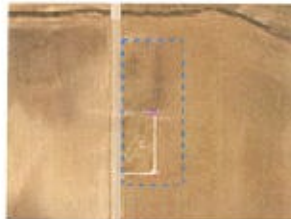
Consultation is terminated. This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary. Termination does not imply IDNR's authorization or endorsement.

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Kane

Township, Range, Section:
40N, 6E, 22



IL Department of Natural Resources
Contact
Adam Rawe
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Kane County Development Department
Keith Berkhout
719 Batavia Avenue
Geneva, Illinois 60134

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

Security

EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.

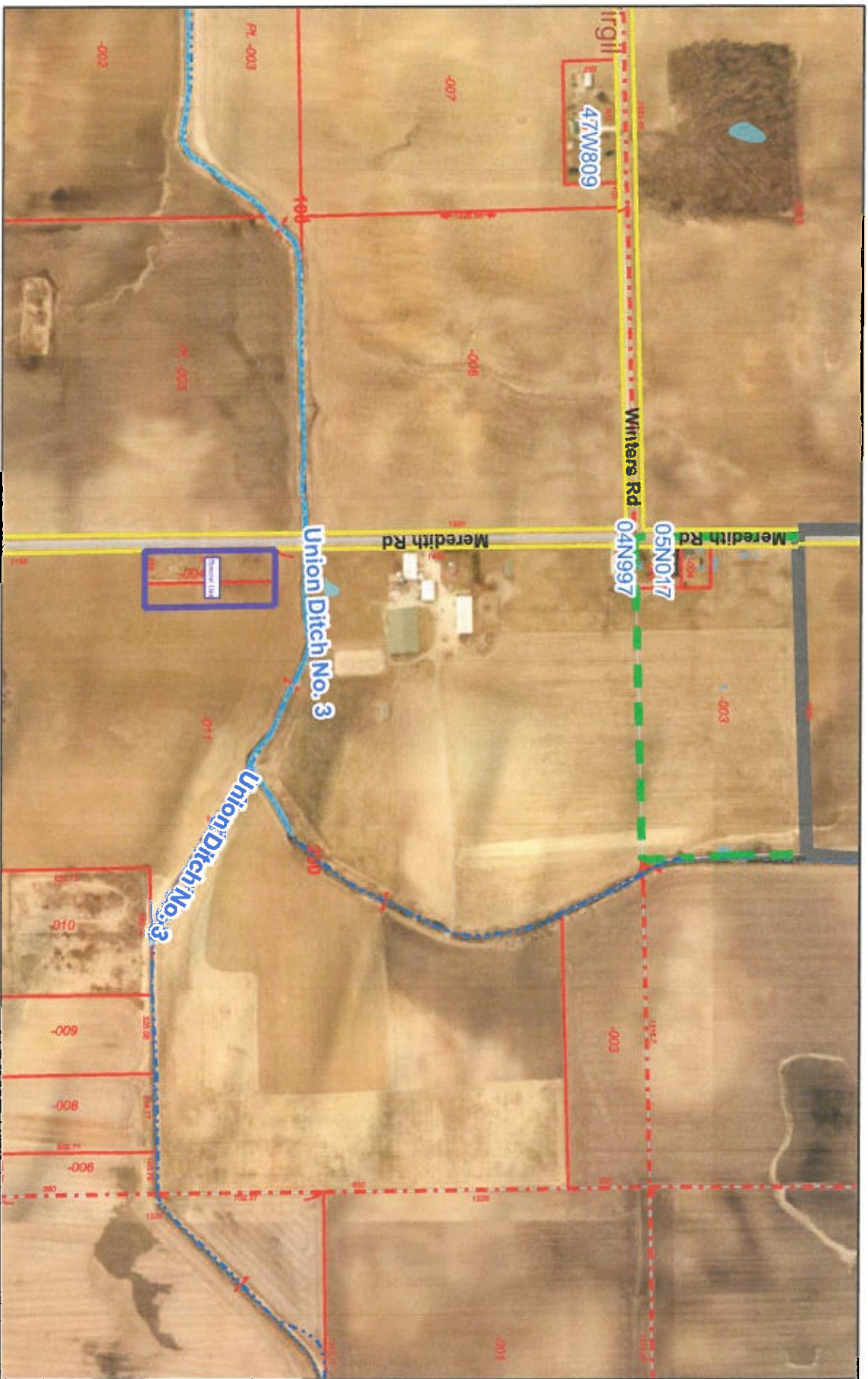
Exhibit "A"

SPECIAL USE

St. Peter & Paul Cemetery

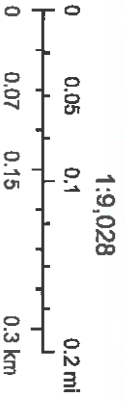
That part of the Southwest Quarter of the Northeast Quarter of Section 22, Township 40 North, Range 6 East of the Third Principal Meridian described as follows: Beginning at a point on the west line of said Southwest Quarter that is 132.0 feet south of the northwest corner thereof; thence easterly at right angles to said west line 247.50 feet; thence southerly parallel with said west line 528.0 feet; thence westerly parallel with the penultimate described course 247.50 feet to said west line; thence northerly along said west line 528.0 feet to the point of beginning (excepting therefrom the westerly 30.0 feet thereof lying within the right of way of Meredith Road), in Virgil Township, Kane County, Illinois and containing 2.636 acres.

Exhibit "B" - KCGIS Aerial Photo



2/11/2020, 1:48:07 PM

- Water
- - - - Creeks
- Townships
- Road Names
- Lot Num 400
- Parcel Num 400
- Parcel Bk Num 400
- Parcel Dim Num 400
- Parcel Dim Carto 400
- Parcel Owner Hook 400
- Cadastral Annotation
- Parcel Dim 400
- Parcel Dim Carto 400
- Parcel Line
- Cadastral Cartographic
- Parcel Owner Hook 400
- Cadastral Lines



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus
 These layers do not represent a survey. No Accuracy is assumed for the data 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.