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September 30, 2025

John A. Cunningham
KANE COUNTY CLERK

VIA FEDEX AND EMAIL

Kane County Board
c/o John A. Cunningham
Kane County Government Center
719 S. Batavia Ave., Bldg. B
Geneva, IL 60134
CountyClerk@KaneCountyIL.gov

**Re: Zoning Petition #4666; SV CSG Wilson School Solar LLC
Special Use Permit for 5MW Community Solar Energy Project**

Dear Members of the Kane County Board:

This law firm represents the applicant SV CSG Wilson School Solar LLC. The above-referenced application is scheduled to be on your October 14, 2025 meeting agenda for decision by County Board. On behalf of the applicant, I wanted to provide the County Board members with background information on this community solar energy project.

SV CSG Wilson School Solar LLC is an affiliate of Sunvest Solar LLC. Sunvest Solar has successfully developed hundreds of megawatts of projects throughout Illinois including projects in Kane County. Sunvest Solar, LLC will be the long time owner and will be responsible for the ongoing operation and maintenance of the project.

The special use permit application is for a 5 MW community solar energy project located on the south side of Highland Ave., approximately 0.7 miles west of Randall Road, in Elgin Township. The subject property is zoned F-Farming. Approximately 48 acres will be utilized for the solar project.

The special use application is in compliance with the requirements of the Kane County Zoning Ordinance and the Illinois state siting law for solar projects, 55 ILCS 5/5-12020.

The Kane County Zoning Board of Appeals, after reviewing the application and hearing the evidence at the public hearing, found that the application satisfied all of the standards for solar energy projects under Kane County Zoning Ordinance Section 25-8-1-2. The Zoning Board of Appeals also found that the application satisfied the six standards for special uses under the Zoning Ordinance Section 25-4-8-2. *Accordingly, the Zoning Board of Appeals unanimously recommended approval of the application.*

There was no evidence presented at the public meetings (ZBA on 9/2/2025 and Zoning Committee 9/8/2025) demonstrating that the application was not in compliance with the special use standards or providing any other justifiable reason for disapproval of the special use application. Special use applications in compliance with applicable standards must be approved. 55 ILCS 5/5-12020(g); *City of Chicago Heights v. Living Word Outreach Full Gospel Church and Ministries, Inc.*, 196 Ill. 2d (2001).

Because the application is compliant with Kane County's solar project requirements and the six special use standards (and there was no evidence to the contrary), and because the application is in compliance with the State siting law, we respectfully request that the Kane County Board members approve the special use at their October 14, 2025 meeting.

The Zoning Board of Appeals was presented with an email objection from City of Elgin's zoning department staff. The staff objection stated that Elgin opposed the special use application because of a concern that the solar energy project may interfere with future residential growth of the City of Elgin. However, the solar project will only utilize 48 acres of land currently used for agricultural purposes, on a parcel for which there has been no residential demand for the past 30 years. Even with the development of the solar project as proposed, several hundred undeveloped acres will remain available for future residential development in the vicinity of the subject property. There are hundreds of acres of undeveloped land already incorporated within the City of Elgin in the area, and the incorporated areas will develop with residential uses before other unincorporated properties are developed. Accordingly, utilizing 48 unincorporated acres of land for the Wilson School solar energy project will not inhibit or interfere with the City of Elgin's future residential growth.

Since the special use application meets the Kane County and State of Illinois requirements, we respectfully request approval of the application. We appreciate your consideration of this matter and the undersigned is available to answer any questions that you may have about the project.

Sincerely,

James R. Griffin
James R. Griffin

JRG/tm

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