

RADOVICH LAW OFFICE, P.C.

312 W. STATE STREET

P.O. BOX 464

GENEVA, ILLINOIS 60134-0464

CHARLES A. RADOVICH

232-4515
(630) 232-4511
FAX 232-0189

OF COUNSEL
GAIDO & FINTZEN

July 11, 2016

Chairman and Members of the
Kane County Board
Kane County Government Center
719 S. Batavia Avenue
Geneva, IL 60134

RE: Application for Amendments to Special Use/M.A. Center

Dear Ladies and Gentlemen:

I represent the M.A. Center, Inc. in its Application for amendments to its Special Use for certain property in Blackberry Township. This letter is intended to clarify certain misinformation being circulated regarding the Application.

A SPECIAL USE FOR RELIGIOUS PURPOSES WAS ESTABLISHED MORE THAN 50 YEARS AGO:

For more than 55 years, the 142 acre site of the current M.A. Center in Blackberry Township has been used as an enclave for various religious activities, including religious worship, education and retreats. It was first started by the Seventh Day Adventists who operated the Broadview Academy and most recently with the M.A. Center in 2012. These religious and educational activities predated all of the residential subdivisions in the immediate area.

More recently, on April 10, 2012, this County Board reaffirmed that this site was a Special Use as a "Religious Center" when the following uses were approved for the M.A. Center:

Chapel
Auditorium
Men's dorm and Monastery
Women's dorm and Monastery
Residential Quarters (emphasis added)
Gym
Kitchen
Administration building
Maintenance buildings
Parking

Consequently, residential uses have been previously authorized and approved by the County for this site.

STORMWATER/DRAINAGE HAS BEEN REVIEWED AND CONSIDERED BY THE COUNTY STAFF:

The Application has been thoroughly vetted by the County's development staff as well as KDOT, the Water Resources Department and the Public Health Department. In fact, these departments have undertaken administrative reviews of the M.A. Center's site plan and other technical reports. It would be wholly inaccurate to suggest that this Board had ignored possible drainage issues. The draft approval ordinance specifically states:

1. A concept stormwater management report was received by Water Resources on 5/2/16 as requested during the staff meeting in September of 2015. The concept plan addresses the overall stormwater management for the site and areas set aside for stormwater management basins and outfall storm sewers. A complete stormwater management report and design will be required and a stormwater permit application will need to be submitted and approved by Water Resources prior to any site work or building permits.

Consequently, before any building permit can be issued, the Water Resources Department will require a detailed stormwater/drainage report.

ZONING ORDINANCE DOES NOT REQUIRE SEPARATE ZONING LOTS:

The following language comes directly from the County's Zoning Ordinance at Section 5.5:

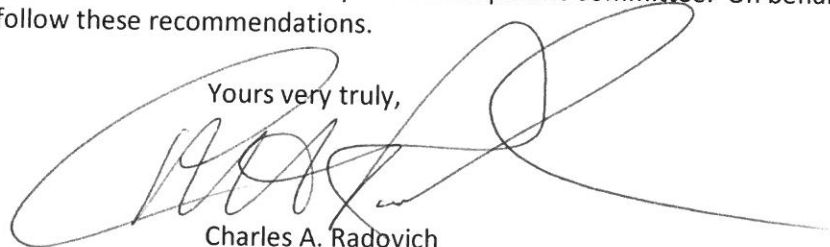
"Sec. 5.5. Number of buildings on a recorded or zoning lot in residential districts.

Except in the case of a planned unit development, not more than one residential building shall be located on a recorded zoning lot, and not more than two (2) detached structures accessory to a dwelling shall be located on a recorded or zoning lot. However, two (2) or more accessory or incidental structures to a dwelling which are deemed to be of unique historical value as described in the Preservation Ordinance No. 88-99 are permitted."

As the heading clearly states, the regulation pertains only to buildings in residential districts. The claim that the regulation is applicable to this site belies the fact that there have been multiple residences on this property for more than 50 years.

In the final analysis, the Zoning Board of Appeals unanimously recommended approval of the M.A. Center's Application with a similar recommendation by the Development Committee. On behalf of the M.A. Center, I urge you to follow these recommendations.

Yours very truly,



Charles A. Radovich