

**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

4542

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|--|
| <i>Received Date</i>                   |
| NOV 27 2019                            |
| Kane Co. Dev. Dept.<br>Zoning Division |

**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.**

|                                 |  |
|---------------------------------|--|
| <b>1. Property Information:</b> | <b>Parcel Number (s):</b><br>0136100018  |
|                                 | <b>Street Address (or common location if no address is assigned):</b><br>44W906 Berner Rd.<br>Hampshire IL 60140 |

|                                  |  |   |
|----------------------------------|--|---|
| <b>2. Applicant Information:</b> | <b>Name</b><br>Jenny Weber + Matthew Eaton | <b>Phone</b><br>630-803-3491                |
|                                  | <b>Address</b><br>44W906 Berner Rd.        | <b>Fax</b><br>—                             |
|                                  | <b>Hampshire IL 60140</b>                  | <b>Email</b><br>pastorjennyrweber@gmail.com |

|  |                              |              |
|--|------------------------------|--------------|
| <b>3. Owner of record information:</b> | <b>Name</b><br>Same as above | <b>Phone</b> |
|  | <b>Address</b>               | <b>Fax</b>   |
|  |                              | <b>Email</b> |

**Zoning and Use Information:**

2040 Plan Land Use Designation of the property: Rural Residential

Current zoning of the property: E-1

Current use of the property: Residential

Proposed zoning of the property: E-1 Special Use a,c

Proposed use of the property: Retreat Center + B/B

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

none at this time

**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](http://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.
- n/a  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
- n/a  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.

Jenny R. Weber Matthew Eaton 11/20/19  
Record Owner Date

Jenny Weber Jenny R. Weber 11/1/19  
Applicant or Authorized Agent Date

# 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.

Jenny Weber  
Name of Development/Applicant

10/31/19  
Date

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

Currently the property is a single family dwelling. It will be used to host up to 16 Air BnB guests or retreat guests overnight and up to 25 individuals during the day. Guests utilize the original farmhouse and grounds as any family guest would.

2. What are the zoning classifications of properties in the general area of the property in question?

Rural Residential, Agricultural

3. How does the suitability of the property in question relate to the uses permitted under the existing zoning classification?

We are currently zoned as E-1, an estate. Our use will not require any changes to the property as far as building or construction.

4. What is the trend of development, if any, in the general area of the property in question?

No development is happening right now. A tree nursery is on the property to the south. There is nothing further planned to our knowledge. 2 subdivisions are to our north, east and west.

5. How does the projected use of the property, relate to the Kane County 2040 Land Use Plan?

The 2040 Plan designates this area as "Rural Residential." Our ~~use~~ planned use does not go beyond this scope, as no future building is planned.

# Findings of Fact Sheet – Special Use

Special Use Request

11/15/19  
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.  
New Morning Retreat Center is a faith-based organization built on Christian values of love, peace and justice. Our primary mission is to provide a peaceful time apart and our activities ~~are~~ promote the overall health of individuals and the common good. Our maintenance and operation parallels that of a residence and is therefore not detrimental to the area or neighborhood.
  7. Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity.

Our use is primarily for rest and recreation. Gatherings are of no more than 25 people which any other home in the vicinity might have for a celebrative occasion. No changes are planned for the buildings or property at this time to impact property value.

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

Since we will be using the property as is there will be no impact on the normal, orderly development / or improvement of the area.

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

Yes, all of these items are up to date and our use does not require any changes since no additional buildings or changes to the property are planned.

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

Yes. Contact was made with the Township Highway Commissioner who noted that nothing additional was needed at the entrance to our property. (See attached email.)

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

Yes, the Hampshire Township Fire District made a site visit. Minor suggestions were made for our liability which are being addressed. (2nd fire extinguisher, smoke/CO<sub>2</sub> detector in the attic, fire ladder in master bedroom). See attached letter. (Items will be addressed ASAP)

January 27, 2020

Jenny Weber, et ux  
Special Uses in the E-1 District Estate for a retreat center and a Bed & Breakfast

**Special Information:** The property contains a single family home along with several farm buildings. The petitioner is seeking Special Uses to bring the retreat center and a Bed & Breakfast activities into conformance with the Zoning Ordinance. A maximum of six guests will be allowed to stay overnight as part of the Bed & Breakfast and up to 25 individuals during the day as part of the retreat center. The two activities will be limited to the existing home, with patrons having access to the entire property. No additional buildings or changes to the property are planned.

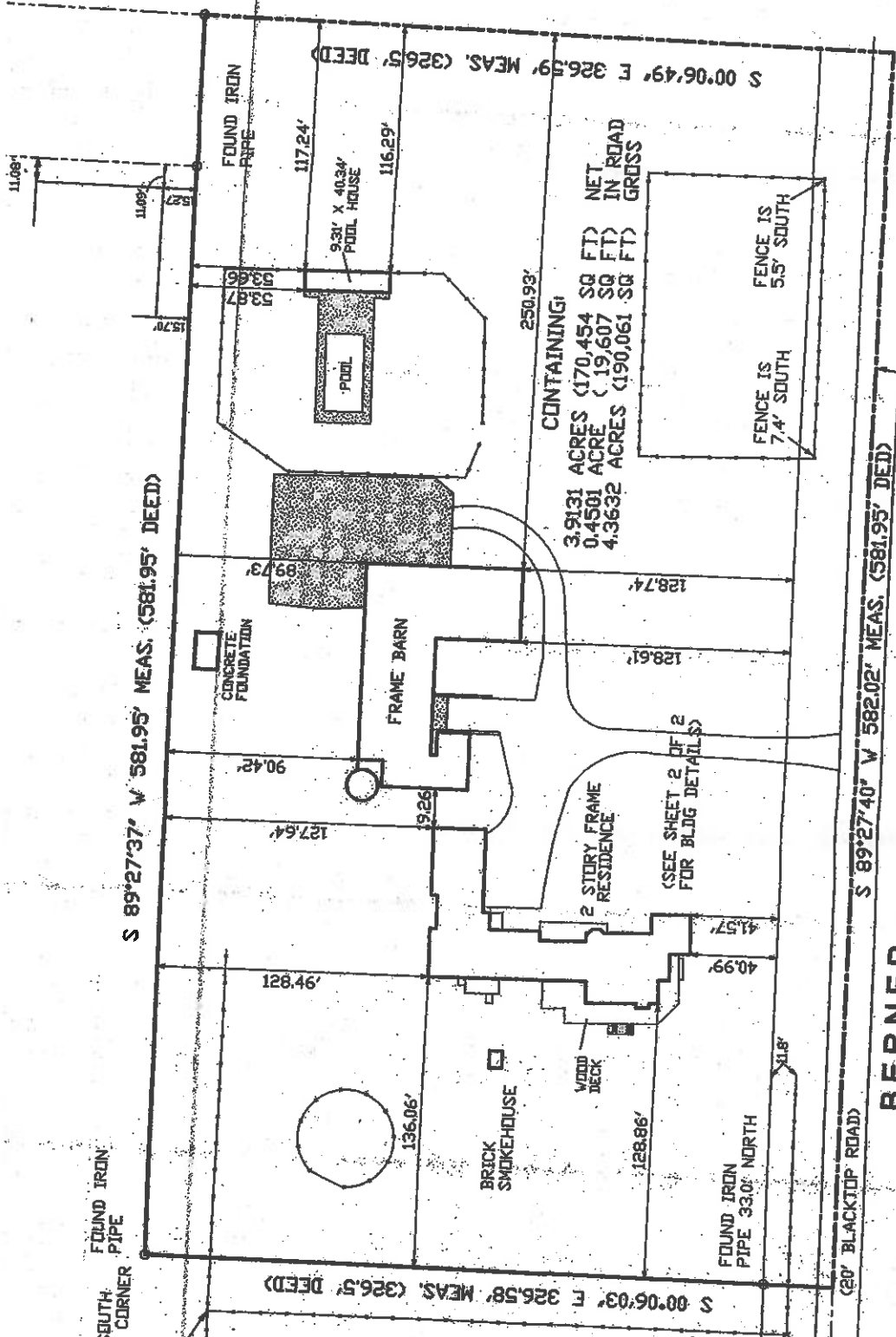
**Analysis:** The Kane County 2040 Land Resource Management Plan designates this area as Rural Residential. Rural Residential areas designated on the map encourage an infill strategy between and adjacent to existing rural residential development where prime agricultural lands will not be taken out of production.

**Staff recommended Findings of Fact:**

1. The Special Uses will allow for the AirBnb/Bed & Breakfast use of the property and allow for a retreat center as a business use.

Attachments:      Location Map  
                         Township Map  
                         Petitioner's finding of fact sheet

S 00°06'49" E 716.19' MEAS.



S 89°27'37" W 581.95' MEAS. (581.95' DEED)

S 00°06'03" E 326.58' MEAS. (326.5' DEED)

S 89°27'40" W 582.02' MEAS. (581.95' DEED)

BERNER ROAD

ROAD

SOUTH LINE OF NORTHWEST QUARTER OF SECTION 36-42-6 & CENTERLINE OF BERNER ROAD.

WEST LINE OF NORTHWEST QUARTER OF SECTION 36-42-6

FENCE IS 21.02' NORTH & 23.31' WEST OF CORNER

10. IRON ROD ON & 33.0' NORTH

CONTAINING:  
3.9131 ACRES (170,454 SQ FT) NET  
0.4501 ACRE (19,607 SQ FT) IN ROAD  
4.3632 ACRES (190,061 SQ FT) GROSS

FENCE IS 7.4' SOUTH

FENCE IS 5.5' SOUTH

(SEE SHEET 2 OF 2 FOR BLDG DETAILS)

2 STORY FRAME RESIDENCE

FRAME BARN

CONCRETE FOUNDATION

POOL

9.31' X 40.34' POOL HOUSE

BRICK SMOKEHOUSE

WOOD DECK

FOUND IRON PIPE 33.0' NORTH

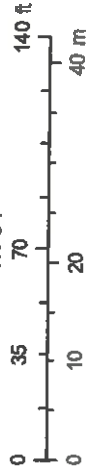
FOUND IRON PIPE

# Map Title



January 8, 2020

1:761

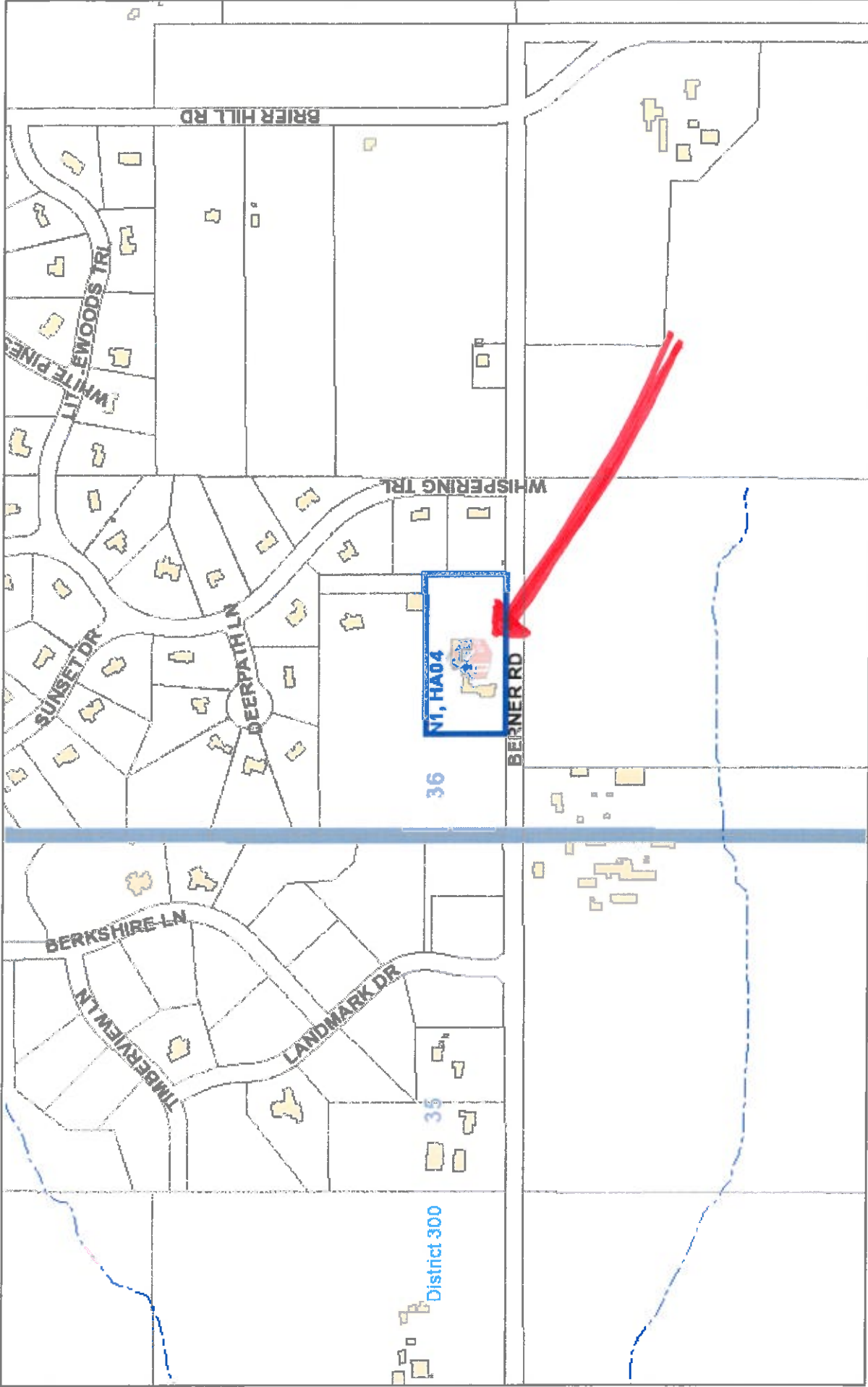


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GIS-Technologies  
Kane County Illinois

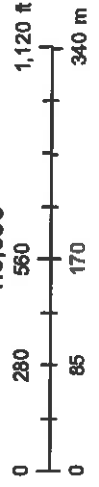


Map Title



December 17, 2019

1:6,088



GIS-Technologies

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GIS-Technologies  
Kane County Illinois

## Berkhout, Keith

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**From:** McGraw, Keith  
**Sent:** Wednesday, January 15, 2020 11:51 AM  
**To:** Berkhout, Keith  
**Cc:** Nika, Kurt; Rickert, Tom  
**Subject:** RE: Zoning petition for review - Weber  
**Attachments:** 2020-01-15 zoning petition.pdf

Keith,

In regard to the attached, and above referenced petition for residential to E1 w/ special use, KDOT has the following REQUIREMENTS:

- The petitioner shall verify that a minimum 33' half right of way has been dedicated from centerline of Berner Road. If such right of way does not exist, they will be required to dedicate a total of 33' from centerline.
- The petitioner shall widen the access to a minimum of 20 wide, from the edge of existing pavement, to a distance of 50' onto the property, so that 2 vehicles may pass safely while entering/exiting the property.

As always, if you have any questions or there is anything further I may assist you with, please don't hesitate to reach out.

Thank you,

**Keith McGraw** | Permit and Traffic Engineering Technician



**Kane County Division of Transportation**  
41W011 Burlington Road  
St. Charles, IL 60175

(Direct) 630-444-2959 | (Mobile) 630-816-1693 | (Fax) 630-584-5239

(email) [mcgrawkeith@co.kane.il.us](mailto:mcgrawkeith@co.kane.il.us) | (Web) <http://www.co.kane.il.us/dot/>

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**From:** Berkhout, Keith <[BerkhoutKeith@co.kane.il.us](mailto:BerkhoutKeith@co.kane.il.us)>  
**Sent:** Wednesday, January 15, 2020 11:25 AM  
**To:** Schoedel, Carl <[schoedelcarl@co.kane.il.us](mailto:schoedelcarl@co.kane.il.us)>  
**Cc:** McGraw, Keith <[McGrawKeith@co.kane.il.us](mailto:McGrawKeith@co.kane.il.us)>; Nika, Kurt <[nikakurt@co.kane.il.us](mailto:nikakurt@co.kane.il.us)>; Rickert, Tom <[rickerttom@co.kane.il.us](mailto:rickerttom@co.kane.il.us)>  
**Subject:** Zoning petition for review - Weber

**Keith T. Berkhout**  
Zoning Planner

Kane County Department of Development and Community Services  
719 S. Batavia Avenue  
Geneva, Illinois 60134  
630-232-3495



Jenny Weber <pastorjennyweber@gmail.com>

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## Questions

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**Stan Walker** <hampshirehwycomm@gmail.com>  
To: Jenny Weber <pastorjennyweber@gmail.com>

Thu, Nov 14, 2019 at 11:24 AM

Jenny Hampshire TWP Road Dist. has no problem with the entrance at [44W906 Berner Rd.](#) for your Air BnB and faith-based retreats.

[Quoted text hidden]



## Hampshire Fire Protection District

202 Washington Avenue . Hampshire . IL . 60140-245

(847) 683-2629 . (847) 683-1404 fax

New Morning Retreat Center  
44W906 Berner Road  
Hampshire IL 60140  
Jenny Weber

November 14<sup>th</sup>, 2019

I completed the inspection at the New Morning Retreat Center today, the following items will need to be addressed:

1. Add a fire extinguisher in the second-floor hallway.
2. All fire extinguishers shall be serviced.
3. Add a smoke / carbon monoxide detector in the attic / loft.
4. Post fire exit routing for primary and secondary exits in each room.
5. Consider escape ladders for each second-floor bedroom that would require one. Some bedrooms have roofs outside of windows.
6. Assure there are smoke / carbon monoxide detectors on the first floor and basement.

Please contact me when these items have been taken care of.

Trevor Herrmann  
Deputy Fire Chief

Smoke detectors save lives.