

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

4651

Received Date

**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): 09-16-150-001
	Street Address (or common location if no address is assigned): 36W995 Red Gate Rd St. Charles, Il. 60175

2. Applicant Information:	Name Ken Bernhard	Phone 630-918-7200
	Address 38W216 mallard Lake Rd	Fax
	St Charles, Il. 60175	Email ken@grandviewhomes.com

3. Owner of record information:	Name State Bank Of Geneva SeBern Homes, Kenneth A Bernhard	Phone 630-918-7200
	Address 36W995 Red Gate Rd St. Charles, Il. 60175	Fax
		Email ken@grandviewhomes.com

Zoning and Use Information:

2040 Plan Land Use Designation of the property: Rural Residential

Current zoning of the property: E-3

Current use of the property: Office for Grandview Homes and SeBern Custom Homes

Proposed zoning of the property: PUD

Proposed use of the property: Residential 1st & 2nd Floors, Office space, company meetings, storage of supplies for homes being remodeled.

If the proposed Map Amendment is approved, what improvements or construction is planned? (An accurate site plan may be required) No change to interior or exterior.

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.

 11-5-24
Record Owner Date

 11-5-24
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.

State Bank Of Geneva
SeBem Homes, Kenneth A Bernhard
Name of Development/Applicant

9-19-24
Date

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

Other than the Churches all around us the typical use is residential.

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

R-3

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

Because of our location on the corner of Red Gate Rd and Randall Rd and the high traffic this home is not well suited for a residential home due to all the noise etc.

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

For the most part the area has been built out, there is one open large parcel on the southwest corner of Randall and Red gate Rd available for development.

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

2040 Plan Rural residential

Findings of Fact Sheet – Special Use

9-19-24

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.

There is only one home next to us, the homes across Red Gate Rd are all in Subdivisions.
The office is only open from 7am to 5pm Monday - Friday.

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

We have been using this property for an office/storage since the home was built and hasn't been injuriuos in the past 20 years that we have operated out of this location. We would also like to maintain the single famill residence on the first and second floors. Please see attached pictures.

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

This home is well maintained and has functioned in its present manner for 20 years.

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

All utilities, access, drainage are in place and functioning as intended.

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

With the stop light on the corner of Red Gate and Randall traffice is going at a slow pace and will not be adversely impeded.

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

Ken Bernhard

36W995 Red Gate Road

St. Charles, Illinois, 60174

Ken@grandviewhomes.com

(630)-918-7200

[Date]

[Name]

[Title/Organization]

[Address]

[City, State, Zip Code]

Dear [Name],

I hope this message finds you well. I am writing to inform you of a proposed zoning change for the property located at 36W995 Red Gate Road. Currently zoned as R-3 rural residential, revised to a PUD classification. We seek to amend this designation to better reflect the current and ongoing use as a facility for Grandview Homes and SeBern Custom Homes. The proposed zoning change will allow for its present usage, specifically for daily business operations, and the storage of supplies within the garage or the garage's surrounding fenced in area. The Kane County Zoning Board will be in contact with regards to the zoning hearing date.

I would like to emphasize that this proposed change will not involve any alterations to the exterior or interior of the building. Furthermore, the property will **not** be rented to tenants, and there will be **no company events or fundraisers** conducted on-site. The current operation involves **9 employees** who park on-site daily, and we do not foresee any increase in traffic because of this zoning change. The standard hours of operation for the property are **Mondays to Fridays from 7:30 AM to 4:30 PM.**

Grandview Homes has been proudly owned and operated in Kane County by Tom Detelich and myself, Ken Bernhard for over a decade serving Kane County and surrounding areas. We take great pride in revitalizing residential real estate and contributing to the overall well-being of the neighborhoods we serve.

Thank you for your attention to this matter. Please feel free to reach out if you require any additional information.

Sincerely,

Ken Bernhard

Managing Partner,

Grandview Homes and SeBern Custom Homes

State Bank of Geneva (SeBern Homes)

Rezoning from E-3 - District Estate Residential to PUD – Planned Unit Development

Special Information: The petitioner is seeking a rezoning so the existing home can be for offices for Grandview Homes and SeBern Custom Homes. In addition to offices, the uses would include company meeting areas and storage of supplies for homes being remodeled. No changes would be made to the home or property.

Analysis: The Kane County 2040 Land Use Plan designates this area as Rural Residential. This designation encourages an infill strategy between and adjacent to existing rural residential developments where prime agricultural lands will not be taken out of production. Extensive areas of rural Kane County have been approved for residential use with a one-acre minimum lot size and gross density of generally about two acres per dwelling unit.

Comments received regarding this petition as of December 27, 2024:

1. From the Fox River & Countryside Fire Protection District – The Fire District met with the owner and the Fire District is requiring updated fire extinguisher, new smoke, heat, and carbon monoxide detectors throughout the home. All these items have been done and inspected.
2. From the Kane County Health Department – If the use is changing to incorporate office space, we need to ensure the septic is sized properly for the total use.
3. From the Kane County Division of Transportation – The Department has no comments

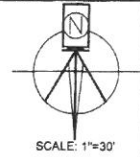
Staff recommended findings of fact:

1. The rezoning would allow for the use of the existing home for the office uses.

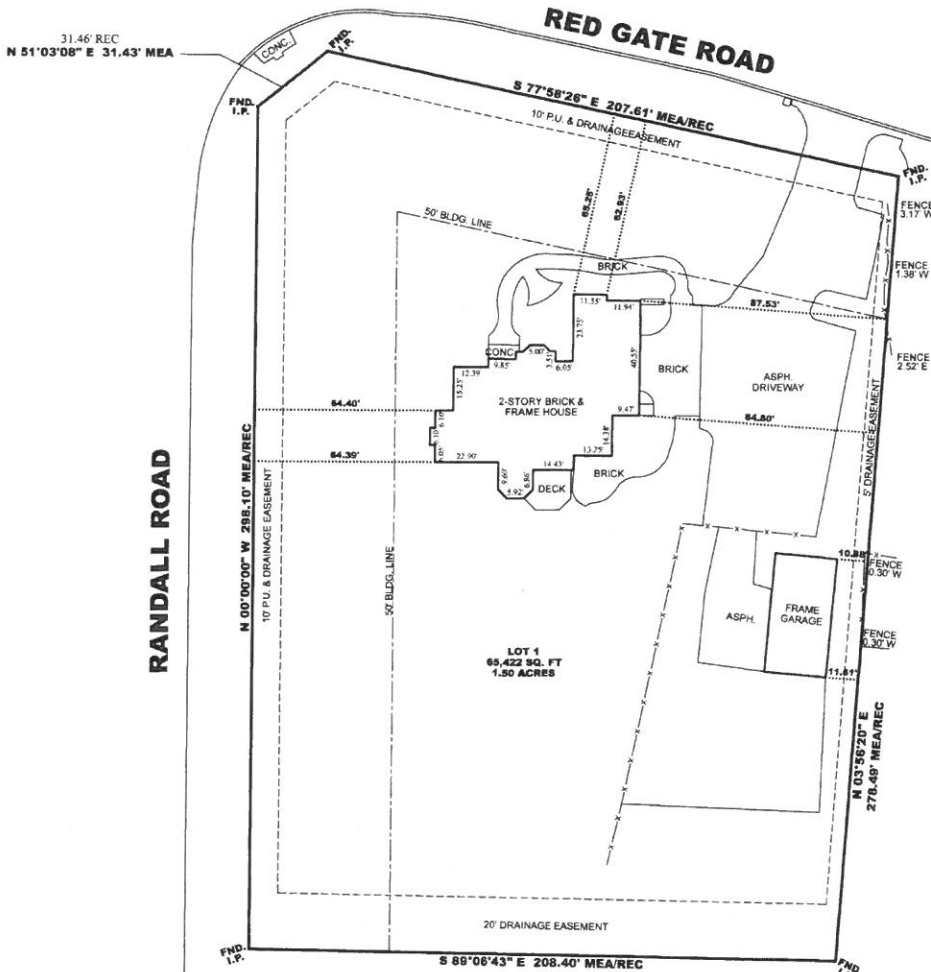
Attachments: Location Map
 Township Map
 Petitioner's finding of fact sheet

**PLAT OF SURVEY
D.F.L.S.**

DALE FLOYD LAND SURVEYING L.L.C.
2500 KESLINGER ROAD SUITE A
GENEVA, ILLINOIS 60134
PHONE: 630-232-7705 FAX: 630-232-7725
E-MAIL: DFLS @SBCGLOBAL.NET



LOT 1 RED GATE OAKS SUBDIVISION, ST. CHARLES, KANE COUNTY, ILLINOIS
COMMONLY KNOWN AS: 38W995 RED GATE ROAD, ST. CHARLES, ILLINOIS



RANDALL ROAD

RED GATE ROAD

**LOT 1
65,422 SQ. FT
1.50 ACRES**

LEGEND

FND. I.R.	= FOUND IRON ROD	P.U.	= PUBLIC UTILITY
FND. I.P.	= FOUND IRON PIPE	M.U.	= MUNICIPAL UTILITY
---	FENCE	----	ASPHALT
----	BLDG. TIE	▨	CONCRETE
----	BLDG. LINE	▩	BUILDING
----	EASEMENT		

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

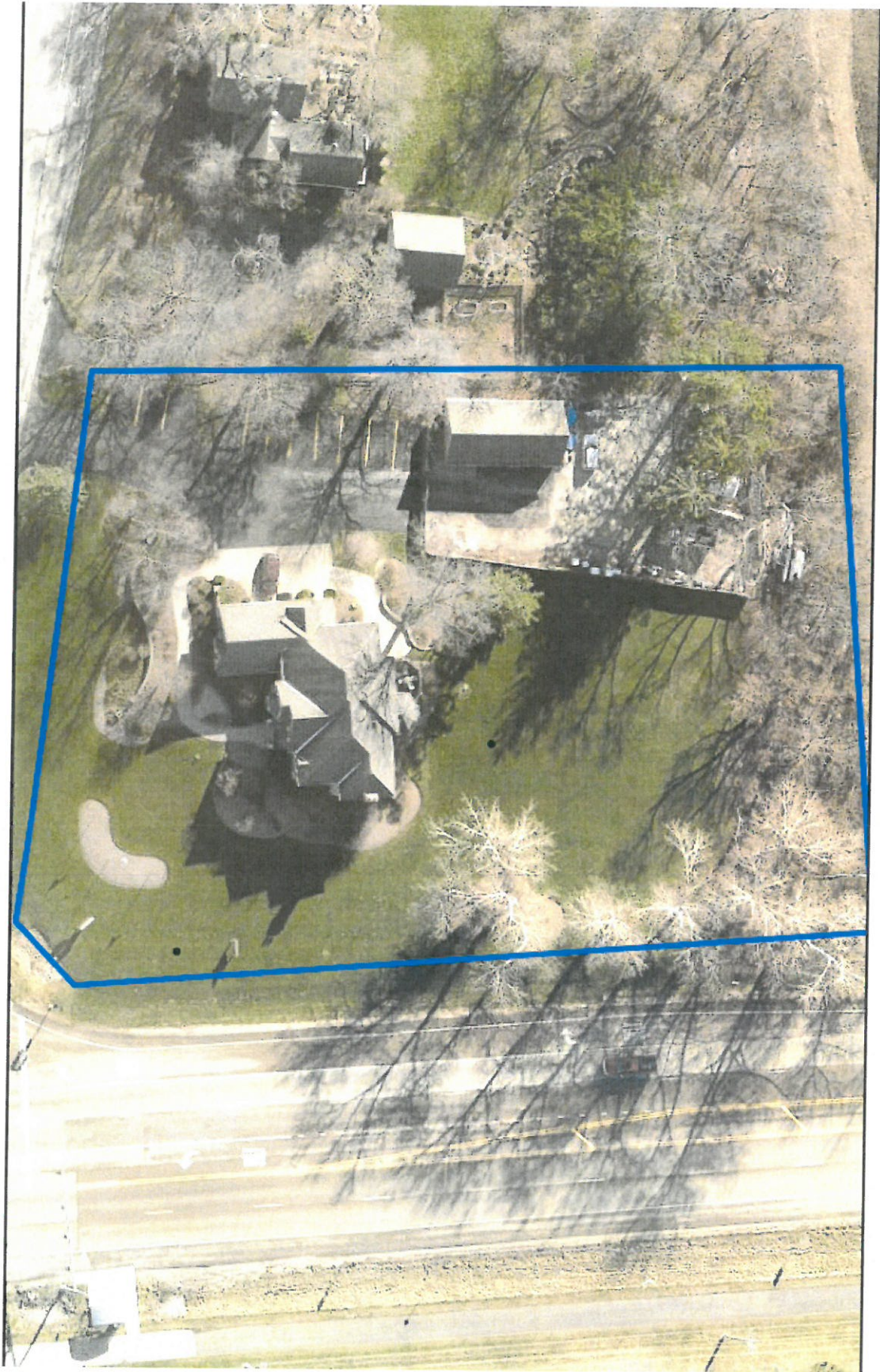
COMPARE ALL POINTS BEFORE BUILDING BY THE SAME AND AT ONCE REPORT ANY DIFFERENCE.

JOB NO. 400-31

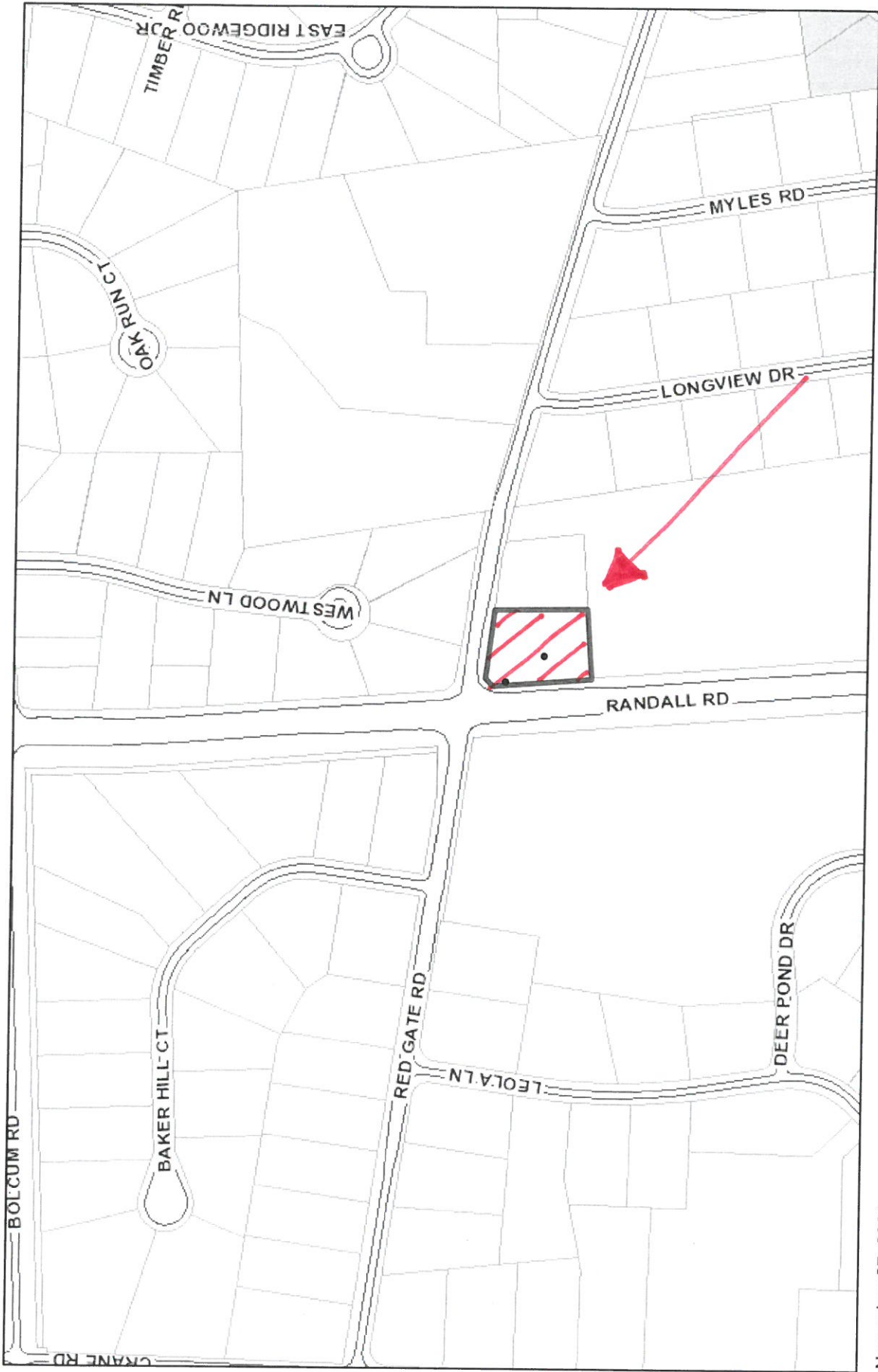


License expiration date 11-30-2024
FIELD WORK COMPLETED 9-9-2024
PREPARED FOR KENNETH BERNHARD

STATE OF ILLINOIS
S.S.
COUNTY OF KANE
WE, DALE FLOYD LAND SURVEYING L.L.C. A PROFESSIONAL DESIGN FIRM LICENSE NO. 184 007094-0008 DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED IN THE MANNER REPRESENTED ON THE PLAT HEREON DRAWN.
DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
GENEVA, ILLINOIS 9-18 A.D. 2024
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-08696



Map Title



November 27, 2024

1:4,905
0 230 460 920 ft
0 65 130 260 m
GIS-Technologies

These layers do not represent a survey. No Accuracy is assumed for the data delineated herein, either expressed or implied by Kane County or its employees. These layers are compiled from official 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.

GIS-Technologies
Kane County Illinois

Applicant: Kenneth A Bernhard
Contact: Kenneth A Bernhard
Address: 38W216 Mallard Lake Road
St. Charles, IL 60175

IDNR Project Number: 2505523
Date: 10/25/2024

Project: Rezoning of Lot 1 of Red Gates Oaks Subdivision
Address: 36w995 Red Gate Road, St. Charles

Description: The property is currently zoned as R-3 Rural Residential. Historically, this residential home has served as a model home, for SeBern Custom Homes, as a single-family dwelling. The owner of the property, Ken A. Bernhard, owns another local business called Grandview Homes. The first and second floors will remain for the purposes of a single-family residence, with the main garage attached to the house. Grandview Homes uses the finished basement facilities and the attached garage at 36W995 Red Gate Road, St. Charles, IL, as an office space for employees.

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, 8E, 16

40N, 8E, 17



IL Department of Natural Resources Contact

Adam Rawe
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction

Kane County Department of Development and
Comm.
Keith T Berkhout
719 S. 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.

Berkhout, Keith

From: Scott Sutherland Sr <sutherland@frctr.org>
Sent: Friday, December 13, 2024 2:11 PM
To: Berkhout, Keith
Subject: EX: 36W995 Red Gate Grandview homes

Keith i have met with the owner and the fire district is requiring updated fire extinguishers new smoke,heat,carbon monoxide detectors throughout the home. All these items have been done and inspected,

B/C Scott Sutherland
Fox River Fire district

Berkhout, Keith

From: Nyland, Colleen
Sent: Sunday, December 1, 2024 4:45 PM
To: Berkhout, Keith
Subject: RE: Zoning petition for your review from Kane County Development Department - State Bank of Geneva/Sebern Homes

If the use is changing to incorporate office space, we need to ensure the septic is sized properly for the total use.

From: Berkhout, Keith <BerkhoutKeith@KaneCountyIL.gov>
Sent: Wednesday, November 27, 2024 10:14 AM
To: Nyland, Colleen <NylandColleen@KaneCountyIL.gov>
Subject: Zoning petition for your review from Kane County Development Department - State Bank of Geneva/Sebern Homes

Keith T. Berkhout
Zoning Planner

Kane County Department of Development and Community Services
719 S. Batavia Avenue
Geneva, Illinois 60134
630-232-3495
berkhoutkeith@co.kane.il.us



Berkhout, Keith

From: Hohertz, Doris
Sent: Wednesday, November 27, 2024 2:00 PM
To: Berkhout, Keith; Schoedel, Carl
Cc: Rickert, Tom; Nika, Kurt
Subject: RE: Zoning petition for your review from Kane County Development Department - State Bank of Geneva/Sebern Homes

Regarding Petition #XXXX, Not yet assigned. (36W995 Red Gate Rd, 09-16-150-011 E-3 to PUD), KDOT has no comments.

Thank you, Doris

From: Berkhout, Keith <BerkhoutKeith@KaneCountyIL.gov>
Sent: Wednesday, November 27, 2024 10:13 AM
To: Schoedel, Carl <schoedelcarl@co.kane.il.us>
Cc: Rickert, Tom <rickerttom@co.kane.il.us>; Nika, Kurt <nikakurt@co.kane.il.us>; Hohertz, Doris <HohertzDoris@co.kane.il.us>
Subject: Zoning petition for your review from Kane County Development Department - State Bank of Geneva/Sebern Homes

Keith T. Berkhout
Zoning Planner

Kane County Department of Development and Community Services
719 S. Batavia Avenue
Geneva, Illinois 60134
630-232-3495
berkhoutkeith@co.kane.il.us



October 28, 2024

Kane County Development Department

Keith Berkhout & Natalie Zine
719 S. Batavia Ave.
Geneva, IL 60134

Re: Natural Resources Inventory

Application: #24-100

Petitioner: Ken Bernhard
36W995 Red Gate Road
St. Charles, IL 60175

Location Address: parcel #09-16-150-001, located at 36W995 Red Gate Road St. Charles, Illinois 60175

Location: St. Charles Township 40N Range 8E, Sections 16-17, in Kane County

The application for a Natural Resources Inventory was sent to the Kane-DuPage Soil & Water Conservation District (KDSWCD) in compliance with Section 22.02a of the Illinois Soil and Water Conservation District Act.

According to the information received, a Natural Resources Inventory is not required at this time for the proposed zoning change because **this property is only being rezoned from R-3 to PUD and there will be no ground disturbance of the land.** Therefore, no further action will be taken by the Soil and Water Conservation District Board. All NRI decisions are valid for **five** years for the stated purpose only. However, **if there are deviations from the submitted application or plan or increase of impervious surface, a full NRI report may be required, and an application may need to be resubmitted.**

If you have any questions concerning this letter, please contact KDSWCD office at the address or phone below.

Sincerely,

A handwritten signature in cursive script that reads "Emma Hunter".

Emma Hunter
Resource Analyst