

HAMPSPHIRE for 2013		Village /							2013
Summary / Fees		School	Park	Public	Fire	Library	Transport	Cemetery	Totals
Transition	\$ 3,214.78	\$ 292.26	\$ 718.94	\$ 656.68	\$ 99.37	\$ -	\$ -	\$ 4,982.03	
2 BR SFR	\$ 323.39	\$ 1,210.20	\$ 484.08	\$ 600.00	\$ 150.00	\$ 1,636.00	\$ 80.00	\$ 4,483.67	
3 BR SFR	\$ 1,316.17	\$ 1,739.40	\$ 695.76	\$ 600.00	\$ 150.00	\$ 1,636.00	\$ 80.00	\$ 6,217.33	
4 BR SFR	\$ 2,245.82	\$ 2,258.40	\$ 903.36	\$ 600.00	\$ 150.00	\$ 1,636.00	\$ 80.00	\$ 7,873.58	
5 BR SFR	\$ 1,741.08	\$ 2,262.00	\$ 904.80	\$ 600.00	\$ 150.00	\$ 1,636.00	\$ 80.00	\$ 7,373.88	
1 BR TH	\$ -	\$ 715.80	\$ 286.32	\$ 600.00	\$ 150.00	\$ 1,636.00	\$ 80.00	\$ 3,468.12	
2 BR TH	\$ 309.31	\$ 1,194.00	\$ 477.60	\$ 600.00	\$ 150.00	\$ 1,636.00	\$ 80.00	\$ 4,446.91	
3 BR TH	\$ 581.88	\$ 1,435.20	\$ 574.08	\$ 600.00	\$ 150.00	\$ 1,636.00	\$ 80.00	\$ 5,057.16	
Studio	\$ -	\$ 776.40	\$ 310.56	\$ 600.00	\$ 150.00	\$ 1,636.00	\$ 80.00	\$ 3,552.96	
1 BR Apt	\$ 4.56	\$ 1,054.80	\$ 421.92	\$ 600.00	\$ 150.00	\$ 1,636.00	\$ 80.00	\$ 3,947.28	
2 BR Apt	\$ 318.44	\$ 1,148.40	\$ 459.36	\$ 600.00	\$ 150.00	\$ 1,636.00	\$ 80.00	\$ 4,392.20	
3 BR Apt	\$ 861.79	\$ 1,831.80	\$ 732.72	\$ 600.00	\$ 150.00	\$ 1,636.00	\$ 80.00	\$ 5,892.31	
Duplex	Same as TH - based on # of BR's								
2 BR SFR	\$ 5,200.00	\$ 6,265.00	---	---	---	---	---	\$ 11,465.00	
3 BR SFR	\$ 5,200.00	\$ 6,265.00	---	---	---	---	---	\$ 11,465.00	
4 BR SFR	\$ 5,200.00	\$ 6,265.00	---	---	---	---	---	\$ 11,465.00	
5 BR SFR	\$ 5,200.00	\$ 6,265.00	---	---	---	---	---	\$ 11,465.00	
1 BR TH	\$ 2,400.00	\$ 2,685.00	---	---	---	---	---	\$ 5,085.00	
2 BR TH	\$ 4,600.00	\$ 5,370.00	---	---	---	---	---	\$ 9,970.00	
3 BR TH	\$ 4,600.00	\$ 5,370.00	---	---	---	---	---	\$ 9,970.00	
Studio	\$ 2,000.00	\$ 2,190.00	---	---	---	---	---	\$ 4,190.00	
1 BR Apt	\$ 2,400.00	\$ 2,685.00	---	---	---	---	---	\$ 5,085.00	
2 BR Apt	\$ 4,600.00	\$ 5,370.00	---	---	---	---	---	\$ 9,970.00	
3 BR Apt	\$ 4,600.00	\$ 5,370.00	---	---	---	---	---	\$ 9,970.00	
Duplex	\$ 4,600.00	\$ 5,370.00	---	---	---	---	---	\$ 9,970.00	
	Water Connection	Sewer Connection						Totals Connection	

VILLAGE OF HAMPSHIRE - BOARD OF TRUSTEES

Meeting Minutes – May 15, 2014

The regular meeting of the Village Board of Hampshire was called to order by Village President Jeffrey Magnussen at 7:00 p.m. in the Village of Hampshire Village Board Room, 234 S. State Street, on Thursday May 15, 2014.

Present: George Brust, Martin Ebert, Jan Kraus, Mike Reid, Orris Ruth, Rob Whaley.

Absent: None

Staff & Consultants present: Village Attorney Mark Schuster, Village Engineer Julie Morrison, and Hampshire Police Chief Brian Thompson.

A quorum was established.

The Pledge of Allegiance was said.

CITIZEN COMMENTS

John Plettau – 810 Bruce, Hampshire, IL; would like the Village Board to postpone in voting to grant William Ryan Homes a variance in the Hampshire Highlands subdivision. The residents are trying to get an Homeowners Association for their subdivision, they do not agree with the zoning setbacks, this would affect their lots. They are willing to sit down and talk and perhaps come to some kind of compromise.

Lynn Acker – 722 Bruce Drive, Hampshire, IL; he would like more information and is willing to hear the developer discuss what he is going to do over at the Highlands.

Trustee Brust moved, to approve the minutes of May 1, 2014.

Seconded by Trustee Kraus
Motion carried by voice vote
Ayes: All
Nays: None
Absent: None

VILLAGE PRESIDENT REPORT

Elburn COOP

Tom Knief, Zac Winter and Ralph Mendez – from Elburn COOP is asking for one variance just to put a canopy, enclose the area where the truck will pull in but the side at the bottom would be open, sprinklers would not be in place only because water would make it worse. Six tanks will be stored not underground. Must be regulated by Federal, State and EPA, the Fire Marshall already has given them a permit to start. Fire Department, Public Safety and Zac Winter from Elburn COOP will put into place an evacuation plan.

Request for Closure of Washington Avenue on June 8th, 2014 for the Fire Protection District's Annual Water-Fights Tournament

Trustee Brust moved, to approve closing the street Washington Ave. between Elm St. and Maple St. for the Hampshire Fire & EMS water fights on June 8th from 1:30 – 5:00 p.m.

Seconded by Trustee Kraus
Motion carried by voice vote
Ayes: All
Nays: None
Absent: None

Approval of Estoppel Certificate regarding Recapture Agreement for First Sewer Expansion Project

Trustee Reid moved, to authorize the Village President and Village Clerk to sign the recapture agreement.

Seconded by Trustee Ebert
Motion carried by voice vote
Ayes: All
Nays: None
Absent: None

VILLAGE BOARD COMMITTEE REPORTS

a. Economic Development

Trustee Brust reported Economic Development meeting for June has not been set yet.

b. Finance

Accounts Payables

Trustee Kraus moved, to approve accounts payable in the amount of \$162,003.64 to be paid on or before May 21, 2014. (Tuscany Woods LLC was removed from A/P)

Seconded by Trustee Ebert
Motion carried by roll call vote
Ayes: Brust, Ebert, Kraus, Reid, Ruth, Whaley
Nays: None
Absent: None

c. Planning/Zoning

Trustee Ruth wanted to know why William Ryan Homes didn't pay for each lot for a variance change instead of one price.

d. Public Safety

Trustee Reid reported the New Jersey trap light installed at the Kudlicki's house. Trustee Reid and Brust both explained what it does and how it works.

e. Public Works

Public Works will have a committee meeting Thursday June 5, 2014 at 6 p.m. to discuss topics such as infrastructure, etc.

f. Village Services

Oil Recycling will be held Saturday June 7, 2014 from 9 – 11:30 a.m.

g. Field & Trails

Trustee Ruth reported his tulips are now blooming and would like to have 3 shelters at Orris Ruth Park. (If there is money in the budget)

Village President Magnussen reminded everyone Hampshire High School graduation is this Saturday at the Sears Center at 6:30 p.m. his son is one of the graduates. St. Charles Borromeo graduation is May 27th he also has a daughter graduating from there.

Plus, Memorial Day Trustee Whaley who is a vet will be giving the speech at Seyller Park around 11:00 a.m. The parade will kick off at 10:30 a.m. at Hampshire Middle School, 560 S. State St. and wind its way to Ralph Seyller Memorial Park, 400 E. Jefferson Ave.

Executive Session

None

Adjournment

Trustee Whaley moved, to adjourn the Village Board meeting at 8:00 p.m.

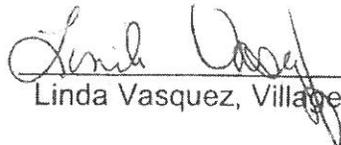
Seconded by Trustee Kraus

Motion carried by voice vote

Ayes: All

Nays: None

Absent: None


Linda Vasquez, Village Clerk

VILLAGE OF HAMPSHIRE - BOARD OF TRUSTEES

Meeting Minutes – September 4, 2014

The regular meeting of the Village Board of Hampshire was called to order by Village President Jeffrey Magnussen at 7:03 p.m. in the Village of Hampshire Village Board Room, 234 S. State Street, on Thursday August 21, 2014.

Present: George Brust, Martin Ebert, Jan Kraus, Mike Reid, Orris Ruth, Rob Whaley.

Absent: None

Staff & Consultants present: Village Attorney Mark Schuster, Village Engineer Brad Sanderson, Village Finance Director Lori Lyons, and Hampshire Police Chief Brian Thompson

A quorum was established.

The Pledge of Allegiance was said.

CITIZEN COMMENTS

John Unterreiner- Hampshire resident: He went through Hampshire Highlands and looked at some new homes that did not follow the 50% brick rule.

Rosemary Kesse – Little People Playtime Hampshire Park District: reported about 100 families have their children in pre-school and day care. The impact fees as requested is to make sure the children stay safe, in case of emergency fire, chemical leak, sewer backup or intruder tries to enter. The babies or toddlers that can't walk will be placed in an emergency crib that is heavy and extra support.

Laura Schraw: HTPD Executive Director – The staff noticed there is no continuous sidewalk connecting the Little People Playtime to the Recreation building. Therefore, the Park District Risk Management Agency requires this be put in place. They have a quote from Champion Paving to connect and patch some of the existing trail.

Trustee Brust moved, to approve the minutes of August 21, 2014.

Seconded by Trustee Kraus
Motion carried by voice vote
Ayes: All
Nays: None
Absent: None

VILLAGE PRESIDENT REPORT

Appoint a hearing officer

Trustee Reid moved, to appoint Jennifer L. Sellers Wong as the Village of Hampshire hearing officer for the Hampshire Police Department.

Seconded by Trustee Whaley
Motion carried by roll call vote
Ayes: Brust, Ebert, Kraus, Reid, Ruth, Whaley
Nays: None
Absent: None

SRK Landscape Proposal –

- 1) Orris Ruth Park: Fall 2014 (Baseball Fields Improvement)\$3,000.00
- 2) Orris Ruth Park, Fall 2014: (Turf grass & soil improvement proposal) \$2,820.00
- 3) Orris Ruth Park, Fall 2014: (Soil & Turf Improvements) \$3,655.00
- 4) Orris Ruth Park, Fall 2014: (Converting Community Garden area back to Turf Grass)

This was referred to Fields and Trails committee meeting to be held on September 10, 2014 at 4 p.m. at the Village Hall.

Hampshire Township Park District- Impact fee request- \$9,800.00

Trustee Kraus moved, to approve the release of Park impact fees in the amount of \$9,800.00 to the Hampshire Township Park District, to install an ADA trail connecting and patching the existing trail in Seyllar Park to comply with the Risk Management Agency.

Seconded by Trustee Brust
Motion carried by roll call vote
Ayes: Brust, Ebert, Kraus, Reid, Whaley
Nays: Ruth
Absent: None

Agreement between Village of Hampshire and Hampshire Woods: Northern Builders, Inc.

Trustee Reid moved, to approve the agreement between Village of Hampshire and Northern Builders, Inc. (rebate utilities, waive collecting administrative portion of fees on issuing a building permit for construction and abate the ad valorem real estate taxes levied on Subject Property for a period of 3 years assesses in 2015 and ending taxes to be assessed in 2017).

Seconded by Trustee Kraus
Motion carried by roll call vote
Ayes: Brust, Ebert, Kraus, Reid, Ruth, Whaley
Nays: None
Absent: None

VILLAGE BOARD COMMITTEE REPORTS

a. Economic Development

Trustee Brust reported next meeting is September 10, 2014 at the Village Hall -5:30 p.m. Letters will be going out to businesses' asking for them to release their logo so EDC may put it up on the website.

b. Finance

Accounts Payables

Trustee Ebert moved, to approve accounts payable in the amount of \$156,633.71 to be paid on or before September 9, 2014.

Seconded by Trustee Kraus
Motion carried by roll call vote
Ayes: Brust, Ebert, Kraus, Reid, Ruth, Whaley
Nays: None
Absent: None

c. Planning/Zoning

Trustee Ruth inquired about the letters from the attorneys for William Ryan and the one for current residents from Hampshire Highlands Subdivision.

Village President Magnussen mentioned according to the agreement with William Ryan #36 is optional for 50% brick. Trustee Reid commented William Ryan opted out two models of his homes due to no brick on them.

d. Public Safety

Trustee Reid reported the website was down but the email was never down, Muniweb is now on the Village's server. He met with Mr. Klingberg and Early Times Street Rod, came up with a plan – Mr. Klingberg will volunteer

e. Public Works

Trustee Ebert had his Public Works Committee meeting September 18 at 5:30 p.m.

f. Village Services

Trustee Kraus announced on September 6 we will have Electronic recycling from 9 am to 11 am same place as the oil drop off. Except for T.V's being dropped off there will be a fee depending on the size. Please check our website for the prices.

g. Field & Trails

Memorial Park:

Trustee Ruth thanked the board – regarding paving for a parking lot. Crown is not ready to hand over the park (Kelley Road) just yet.

New Business

Village President Magnussen reported at 215 Industrial: tires are stored outside, hazard zoned improperly. Round Lake does have package for new businesses' to fill out paperwork then send it to the Village for follow up.

Trustee Reid mentioned the Hampshire Township Fire District was looking for the Village to purchase hydrant flags and they would put them in.

Executive Session

Trustee Whaley moved, to adjourn to executive session to discuss Personnel- appointment, employment, compensation, discipline, performance or dismissal of a specific employee under Section 2 (c) 1 Open Meetings Act, at 8:09 p.m.

Seconded by Trustee Ebert
Motion carried by roll call vote
Ayes: Brust, Ebert, Kraus, Reid, Ruth, Whaley
Nays: None
Absent: None

Reconvened to open session at 8:41 p.m.

Adjournment

Trustee Brust moved, to adjourn the Village Board meeting at 8:41 p.m.

Seconded by Trustee Whaley
Motion carried by voice vote
Ayes: All
Nays: None

Absent: None


Linda Vasquez, Village Clerk

HAMPSHIRE
ZONING BOARD OF APPEALS

MEETING of November 25, 2014

MEMBERS PRESENT; Carl Christensen, Hank Hoffmann, Bill Albert, Jim Letheby, and Michael Armato

The meeting was called to order at 7:15 PM. The pledge of Allegiance was not said. There were no previous minutes to read.

To expedite matters before the board, at the request of our Village attorney, and with motion by Hank Hoffmann, second Jim Letheby, to rearrange the order of presentation, voice vote all ayes.

1)Hearing on appeal of Quality Tire Ring; represented by Garris law...they pointed out how the Tire Ring operation should be legal under existing Hampshire Zoning, and should be allowed to continue as is.....the Village attorney disputed the findings of the Tire Ring legal advice

Motion to deny the appeal by hank Hoffmann, second by Bill Albert. By vote...Hank, Bill and Jim voted yes to deny....Carl and Mike Abstained. According to the Village attorney this is a denial of appeal.

2)Public hearing opened 7:55 PM Public hearing requesting a special use to allow a auto painting establishment for the property at 200 Industrial Dr, Hampshire, IL. Owner/operator Tom Coronado explained his business and how it would operate at this site, and not be a detriment to the area.

Motion to close the hearing at 8:17 by Jim, second by Mike, approved by voice vote. Motion to approve and recommend approval by Jim, second Hank. Rollcall vote...Hank yes, Carl yes, Mike yes, Bill yes, Jim yes. 5 yes..o no. Carl signed the finding of fact.

Being no old business, next meeting as needed. Meeting adjourned. Motion by Jim, second by Mike. All ayes. Meeting close at 8:25 PM

William Albert

VILLAGE OF HAMPSHIRE ZONING BOARD OF APPEALS

MINUTES May 13, 2014

A meeting of the Hampshire Zoning Board of Appeals was convened at 7:03 p.m. Members present: C. Christensen, J. Letheby, W. Albert, H. Hoffman, K. Prehm, and S. Klein. Members absent: M. Armato. Village Attorney Mark Schuster was also present.

The Chair announced that the purpose of the meeting was to conduct a public hearing and consider a recommendation on a Petition for Ryan Building Group, Inc. for a variation from Section 6-7-2 (c)(8) of the Hampshire Village Zoning Ordinance to reduce the rear setback from 40 feet to not less than 28 feet for 40 vacant lots which are part of Units 1, 2, 3, 4, and 5 of Hampshire Highlands Subdivision and all of which are classified as "R-2" Residential District in the Village of Hampshire.

Attorney Schuster stated that notice of the public hearings had been published in the Courier News newspaper on April 27, 2014, and that the Village had received a Certificate of Publication for the Village Clerk's files. The Petitioner filed an Affidavit of Mailing of notice to surrounding property owners.

Nate Wynsma of Wm. Ryan Homes, and Attorney Thomas Burney appeared for Petitioner.

A summary of public hearing, together with a copy of the sign-in sheet of persons in attendance, is attached. The petitioner made a presentation concerning the request, and eighteen members of the public made comment.

The Board members then discussed the Petition and deliberated on their recommendation on the matter, including the following comments:

J. Letheby stated that if the variance is allowed, others will want the same.

H. Hoffman stated that the variance ought to be denied; another builder could build homes to fit on the lots; and that Ryan knew the rules when it purchased the property.

C. Christensen stated that the Petition did not meet the criteria of the Village Code; confirmed that the scope of it was for 42 lots – 2 lots = 40 lots in total, and stated that the regulations for the R-2 zoning classification set the standards.

S. Klein stated that he thought all those who purchased a home before 2008 have lost value, and that current market conditions make the proposal "not bad." He was comfortable with Ryan models

for the Subdivision. He thought it good that the development would proceed with additional build-out.

W. Albert stated that another builder, R. Stevenson, had seven lots remaining in the Subdivision, and asked if he could get the same variance.

On motion by H. Hoffman, seconded by J. Letheby, to recommend approval of the Petition for Variance of the rear yard setback requirement in the R-2 Single Family Residence District, to allow for a rear yard setback of not less than twenty-eight (28') feet for the lots identified in the Petition in the Hampshire Highlands Subdivision in the Village, subject to the six conditions proposed by the Petitioner, together with the additional conditions that the maximum variation on any lot to be improved with a ranch-style residence would be twelve (12') feet, and that any "morning room" or "all-season room" to be added to any residence would not exceed one-story in height, the vote of the Zoning Board of Appeals was 2 aye - 4 nay. The motion failed.

On motion by W. Albert, seconded by S. Klein, that the proposed Findings of Fact, including the various conditions stated above, be prepared for signature by the Chair, and that the Chair be authorized to sign same and deliver the Findings of Fact and Recommendation to the Village Clerk, the vote was 6 aye - 0 nay. Motion passed.

No business of the Zoning Board of Appeals is currently scheduled for any future meeting date.

On motion duly made and seconded, the meeting was adjourned at 9:16 p.m.

Respectfully submitted,

Mark Schuster
Attorney

**VILLAGE OF HAMPSHIRE
ZONING BOARD OF APPEALS**

May 13, 2014

**Summary of Public Hearing on
Petition of Wm. Ryan Homes for Variance**

Thomas Burney and Nate Wynsma appeared on behalf of Wm. Ryan Homes, concerning its Petition for Variance on 40 lots in the Hampshire Highlands Subdivision. The petition was filed because as to such lots, the lot size and rear yard is not sufficient to fit a number of the model homes proposed to be erected by Ryan.

The Petition includes six conditions under which said Variance could be granted; a copy of the the proposed conditions is attached. Mr. Burney presented an Affidavit of mailing regarding notice to surrounding property owners. It was noted that notice was also published in the Courier News newspaper on 4-27-14.

Wynsma stated that Wm. Ryan has built homes in the Chicagoland area for the past 21 years. Ryan markets to “the move-up” buyer. Its products are typically 15% - 20% ranch style homes with options offered for upgrade. Ryan typically offers more options than its competitors. Ryan has nine 2-story plans, with different (4-5) elevations. This will be different from Lennar., the previous builder in the Highlands Subdivision. Ryan’s homes are wider. Architecture is important to Ryan on all 4 sides of a home.

The lots in question are 102’ x 120’ with a 30’ front yard and a 40’ rear yard. The proposed variance would allow Ryan to highlight morning rooms, 12’ high x 16’ wide, on the back, with 5 windows & a sliding door with cathedral ceiling, 1-story only. The options are important to marketing success in the Subdivision. These features will set apart Ryan’s products from production builders. One-third of Ryan’s purchasers purchase a morning room. The morning room would have a full foundation also. So, 15% - 20% of homes tend to be ranch style models, (6-10 in total), and one-third of those order a morning room. This would be 12-15 lots in the Subdivision.

A variance is not required for every lot – restrictions would be ok. Ryland sold homes in Lakewood for prices between \$165,000 - \$205,000. Ryan prices its homes well above that pricing, at the \$240’s to low \$300’s. At full size, Ryan builds 4,000 square feet, at about a \$500,000 price.

The options which Ryan hopes to offer are the reason for the Petition for Variance.

Wynsma presented a board showing lots in the Subdivision. Some lots are R-3 zoning classification (15 lots) and not for sale now. The lots known as 167-168 Bruce Lane were withdrawn from the Petition. (but with notice). There would be no ranch-to-ranch, one backing up to the other. There might be a situation where a lot with a variance would back up to an existing residence, but not to an existing ranch style structure.

There could be a new home with a morning room, or sun room, across the back of the new structure.

Hampshire Woods and Sandy Creek Subdivision in Elgin have 30' rear yards. Algonquin has 30' rear yards, and allowed Ryan a variance to construct a morning room on such homes. Elsewhere front yard variances are common, to break up monotony, but no such variance is needed or requested here.

It was noted that the Covenants, Conditions and Restrictions for the Highlands Subdivision require a minimum of 2,200 square feet for any residence; and that the Cambria model proposed by Ryan as only 1,798 square feet in size. The maximum size was noted from the Exhibit.

It was also noted that the Petition for Variance filed by Ryan was a "blanket" petition, instead of multiple petitions, filed lot-by-lot, or sale-by-sale.

J. Letheby asked if there was on one "spec" home already up, and if the remainder were to be built to contract?

S. Klein asked if all lots will be 120'?

Wynsma stated that there was a model home on Lot 58, a "Sheridan" model with a morning room added on. Wynsma stated that Ryan would maintain all the vacant lots in the Subdivision, including mowing on a regular schedule, and would remove existing Realtor signs. He also noted that the proposed Cambria / Charleston models would be 12' maximum.

Members of the public were recognized to comment, as follows:

1. Todd Law – all his questions have been answered.
2. Dennis Elliot – duplex owner. Ryan hopes to build out 58 by 2017. Lot 58 is not a duplex lot. All the lots backing to IL 72 are zoned R-3 residential.
3. Constance Prystausly – Easement – worst case is 550' - 600' space. Will this cause a problem with the watershed? Has engineering been done for that? Wynsma: Yes. 10' side yard, and 80' x 55' deep. Storm water calculations would be to maximum, and o no flooding should occur.
4. Orris Ruth – 80' to 100'. There should be one variance per lot, at a fee of \$250 per lot. Ordinances dictate type of home. The Development always wants to build a home for the most money. For another project, the Village re-wrote the Annexation Agreement – for Lakewood, for Ryland. An amendment changes zoning without any public hearing. Developer should follow the Code, without any variance. If not, then anyone else should apply for a variance, too. The Village has allowed only open air encroachments in the past. A fireplace, or a bay window was allowed in one case, perhaps. He does not want to re-engineer developments in the Village.

5. Jim Roy – His concern is regarding property values. Will Ryan do what it says? How can he be sure that the option will not be 2-story, instead of just one story? The Village must make it a specific condition of any variance. Burney said it would be controlled by the building permit process in the Village. Roy said he paid \$360,000 for his home, so a new home with a value of only \$240,000 is not good for him. One-story limit is recommended. The Village should get higher end houses for Hampshire.

6. Owen Tuttle – He owns one of the existing ranch style homes, with an empty lot behind him. So there should be no ranch style home constructed there. There should be a 2-story home; and any extension not greater than one story. He has added \$30,000 to his house, after it was built, with a swimming pool – per the Building Code. He is not comfortable with a house beyond 40' rear yard. \$240,000 is low end in price; how can that raise all prices? More value in the new homes would add to the value of all homes. There should be no variance allowed, and more custom homes.

7. Roger Blecker – Review the criteria for variances, or exceptions. This variance would have a negative impact, would change character of the neighborhood. Ryan claims it needs a reasonable return on investment, and would avoid cost of re-engineering its models. How did Ryan build at 100% - 200% more in the past? He did a re-design in 2007 for his home, at his expense. The Village should stick to the requirements of the Zoning Ordinance. Variances must be equally applied in the Village, so the Village should beware of setting a precedent. This request does not equal any hardship. A hardship can not be self-created. The Village should deny this request. The homeowners should not be deprived of their rights or deprived of their desires.

8. Jeff Maslinski – all his questions have been answered.

9. Lynn Acker – most of his questions have been answered. All the Covenants, Conditions, and Restrictions for the Subdivision are ok regarding square footage of homes. Brick is required. Three car garages exist on some homes, and 3-car tandem is standard. For a ranch style residence, the option is 23.7' deep.

10. Bruce Burklow – His concern is for the people who bought in the past. Most recently prices were down from \$485,000, to \$369,000. The price of a lot has been affected by the recession / crash. The Covenants, Conditions and Restrictions call for 50% or real brick; and design shingles. 2½ car garages are required. Lennar built per models, and we should be glad we did not get someone else besides Ryan. Ryan builds in the middle price range. We cannot have more expensive houses today. Others build bigger, but cheaper houses. The Village should be sure that every covenant is followed by Ryan; the variance request is up to the Zoning Board of Appeals.

S. Klein: Question: When Burklow built in the Subdivision, what about storm water run off? Burklow responded that water ran off into one driveway once, into the garage, so he built up the side yard, to the detriment of the neighbor. There should be no water problems.

11. William Benhaly: All his questions have been answered

12. Pam Louis: What about the requirement for brick?

13. Janet Boggs: She likes the small town custom look in the Subdivision. Will Ryan use anti-monotony provisions? Wynsma responded that Ryan has its own rules...no same product across the street. Boggs said that garages are used for homeowner's "toys."

14. John Pettay: The proposed houses do not fit in the Subdivision. He is against any variances.

15. John Forslund: All his questions have been answered.

16. Jim Klinkhamer: What about all the dandelions on the vacant lots?

16. Marilyn Gunther: She bought at north end of the Village, and her daughter lives in this neighborhood. Like Sun City, e.g., there are few models of ranches. Most towns will have 2-stories next to ranch; should we worry about 2-stories?

17. John Unterrein: Ryan should re-draw its plans. Wynsma responded that if Ryan had to re-draw its plans, it may go to smaller homes, without any options. Burney added that the real question ought to be whether there is any threat or harm to the public health and safety if a variance is granted.

There are eight standards for variance in the Village Code, and Burney enumerated Ryan's stance on each of them:

- Reasonable return – Ryan would sell a large product, at a higher price, with greater taxes due to the Village.
- Essential character of the neighborhood – this would increase the value of the homes.
- Unique circumstances – Other exceptions are allowed, and ranches are different.
- Topography – this change would be an overall benefit to the community.
- Not for additional return to the developer – Larger ranches with more options are a benefit to the Subdivision.
- Conditions not created by developer – the problem lies in the 40' rear yard setback that exists.
- Conditions – the conditions will distinguish this development from others.
- Not detrimental to the health or safety – the higher prices will be a benefit to the community.

Burney asked the Zoning Board to recommend approval.

Burney agreed to add a sixth condition for approval – options would be limited to one story in height.

On motion by S. Klein, seconded by H. Hoffman, and on vote of 6 ayes, 0 nay, the public hearing was closed.

**VILLAGE OF HAMPSHIRE
ZONING BOARD OF APPEALS**

IN RE:

PETITION OF WM. RYAN BUILDERS, INC. FOR ZONING VARIANCE, TO VARY THE REAR YARD SETBACK REQUIREMENT OF THE R-2 SINGLE FAMILY ZONING DISTRICT FOR CERTAIN DESIGNATED LOTS IN THE HAMPSHIRE HIGHLANDS SUBDIVISION IN THE VILLAGE.

FINDINGS OF FACT

The Petition of Wm. Ryan Homes for a variance from the regulations governing the R-2 Single Family Residence District for rear yard setback to allow for a setback of not less than twenty-eight (28') feet on certain designated lots in the Hampshire Highlands Subdivision, having been duly filed with the Village Clerk, the Zoning Board of Appeals having considered the application, and the testimony and evidence submitted at a public hearing, the Zoning Board of Appeals FINDS as follows:

1. A Petition for Zoning Variance relating to certain designated lots in the Hampshire Highlands Subdivision in the Village (the "Subject Property") was filed requesting a variation of the rear yard setback requirement in the R-2 Single Family Residential Zoning District, to allow for a rear yard setback of not less than twenty-eight (28') feet, for the following lots in the Hampshire Highlands Subdivision:

Lots 18, 20, 72, 83, 94, 167, 168, 46, 48, 50, 51, 52, 53, 54, 63, 66, 67, 68, 69, 71, 84, 85, 86, 92, 93, 55, 56, 57, 58, 59, 60, 61, 116, 117, 123, 124, 138, 139, 140 and 141 in Hampshire Highlands Subdivision, being a Subdivision of part of the Northeast 1/4 of Section 27, Township 42 North, Range 6 East of the Third Principal Meridian in the Village of Hampshire, Kane County, Illinois being a Subdivision of part of the Northeast 1/4 of Section 27, Township 42 North, Range 6 East of the Third Principal Meridian in the Village of Hampshire, Kane County, Illinois/

2. A public hearing before the Zoning Board of Appeal in regard to the Petition was conducted on May 13, 2014.

3. Notice of said public hearing was published in the Courier News newspaper on April 27, 2014, a date not less than fifteen nor more than thirty days preceding the date of the public hearing.

4. Notice of said public hearing was mailed to surrounding property owners prior to the date of the public hearing; an Affidavit of Mailing from the Petitioner has been filed with the Village Clerk.

5. The land is under the unified or coordinated control of the Petitioner.

6. The land is comprised of certain unimproved residential lots in the Hampshire Highlands Subdivision.

7. Mr. Thomas Burney and Mr. Nate Wynsma appeared on behalf of the Petitioner at the public hearing, and made a presentation to the Board members, summarizing the Petition, and responding to questions from the Board members and from the public.

8. Eighteen (18) members of the public offered comment or asked questions of the Petitioner regarding the proposed variation. Numerous other persons attended the public hearing; a sign-in sheet is on file with the Village Clerk.

9. The Zoning Board of Appeals has considered the following factors, set out in the Village of Hampshire Municipal Code, Section 6-14-3(F)(10), in regard to the Petition for variance:

I. Variation Standards -- The ZBA shall not recommend a variation unless it shall find, based upon the evidence presented to it at the public hearing on the application for variance, the following:

A. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located; and

B. That the plight of the owner is due to unique circumstances; and

C. The variation, if granted, will not alter the essential character of the locality.

II. Variation Standards -- For the purposes of supplementing the above standards, the ZBA shall also take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

A. That the particular physical surroundings, shape, topographical conditions of the specific property involved would bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulation were to be carried out; and

B. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification; and

C. That the purpose of the variation is not based exclusively upon a desire to make a greater economic return from the property; and

D. That the alleged difficulty or hardship has not been created by any person presently having an interest in the property; and

E. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements to the neighborhood in which the property is located; and

F. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire or otherwise endanger public safety, or substantially diminish or impair property values within the neighborhood.

10. Additional Findings:

I. Conditions: Certain conditions were considered by the Zoning Board of Appeals in regard to the proposed variation requested, as follows:

A. Submitted by the Petitioner:

1. The maximum encroachment into the rear yard on any of the lots identified in the Petition for Variance shall not exceed twelve (12') feet.

2. The minimum rear yard setback on any of the lots identified in the Petition for Variance shall be not less than twenty-eight (28') feet.

3. No ranch-style residence shall be constructed on any lot that backs up to a lot on which a ranch-style residence has been constructed prior to the date of approval of this variation. However, on such a lot, either an extended family room and or an all-season room upgrade shall be permitted.

4. No ranch-style residence shall be constructed on any lot that backs up to a lot on which a single family residence has been constructed prior to the date of the approval of this variation. However, on such a lot, either an extended family room and or an all-season room upgrade shall be permitted.

5. The dimensions of the upgrade for an extended family room shall be generally consistent with the dimensions identified on the illustrations attached to the Petition as Group Exhibit B.

6. The dimensions of the upgrade for an all-season room shall be generally consistent with the dimensions identified on the illustrations attached to the Petition as Group Exhibit B.

B. Proposed during the public hearing:

1. The maximum variation on any lot to be improved with a ranch-style residence would be twelve (12') feet.

2. Any "morning room" or any "all-season room" to be added to any residence would not exceed one-story in height.

II. Criteria: The Petitioner did not satisfy the criteria for a variation of the zoning regulations, per Section 6-14-3(F)(10) of the Village Code. Other builders have met the applicable setbacks in building homes in that Subdivision without variation, and this Petitioner was or should have been aware of the setback requirements when it acquired the lots and planned its residential structures.

ACTION(S)

A. On motion by H. Hoffman, seconded by J. Letheby, to recommend approval of the Petition for Variance of the rear yard setback requirement in the R-2 Single Family Residence District, to allow for a rear yard setback of not less than twenty-eight (28') feet for the lots identified in the Petition in the Hampshire Highlands Subdivision in the Village, subject to the six conditions proposed by the Petitioner, together with the additional conditions that the maximum variation on any lot to be improved with a ranch-style residence would be twelve (12') feet, and that any "morning room" or "all-season room" to be added to any residence would not exceed one-story in height, the vote of the Zoning Board of Appeals was 2 aye – 4 nay, as follows:

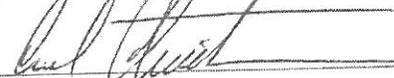
C. Christensen	_____	<u> X </u>
W. Albert	<u> X </u>	_____
H. Hoffman	_____	<u> X </u>
S. Klein	<u> X </u>	_____
J. Letheby	_____	<u> X </u>
K. Prehm	_____	<u> X </u>
M. Armato	_____	_____ Abs.

It is accordingly the recommendation of the Zoning Board of Appeals that the Petition for Variance be _____ approved / X denied.

Dated: May 13, 2014

Respectfully submitted,

VILLAGE OF HAMPSHIRE
ZONING BOARD OF APPEALS

By: 
Carl Christensen
Chair