



Village of Hampshire  
Planning & Zoning Commission Meeting  
Monday, October 25, 2021 - 7:00 PM  
Hampshire Village Hall – 234 S. State Street

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes from September 27, 2021
5. Old Business
6. New Business
  - a. Variance for 304 Park St.
    - i. A Public Hearing regarding a Petition for Variance, filed by Gerald Tully as the property owner of 304 Park St., to vary the setback and building height regulations in §6-3-7(B) of the Village Code to allow for the proposed garage expansion in an R-2 Residential Zoning District
    - ii. A Motion recommending the approval of a Variance at 304 Park St. to vary the setback and building height regulations in §6-3-7(B) of the Village Code to allow for a garage to be set back zero (0) feet from the alley instead of ten (10) feet, to be set back at the current distance from the southern lot line instead of five (5) feet, and to be at a height of twenty-three (23) feet instead of fifteen (15) feet.
  - b. Text Amendment – Creation of the Recreational Zoning District
    - i. A Public Hearing regarding a Text Amendment to the Village zoning regulations to create the REC Recreational Zoning District as a new type of business district in the Village
    - ii. A Motion recommending the approval of a Text Amendment creating the REC Recreational Zoning District
  - c. Text Amendment – Public Notice Requirements for Special Uses and Rezoning
    - i. A Public Hearing regarding a Text Amendment to the Village zoning regulations to formalize public notice requirements for petitions for special use and for amendments to rezone property
    - ii. A Motion recommending the approval of a Text Amendment formalizing public notice requirements for petitions for special use and for amendments to rezone property
  - d. A Motion authorizing the Chair to report the results of agenda items 6-a-ii, 6-b-ii, and 6-c-ii to the Village Board of Trustees with appropriate Findings of Fact and Recommendation
7. Public Comments
8. Announcements
9. Adjournment

Attendance: By Public Act 101-0640, all public meetings and public hearings for essential governmental services may be held by video or tele conference during a public health disaster, provided there is an accommodation for the public to participate, and submit questions and comments prior to meeting. If you would like to attend this meeting by Video or Tele Conference, you must e-mail the Village Clerk with your request no later than noon (12 PM) two days prior to the meeting, and a link to participate will be sent to your e-mail address the day of the meeting, including all exhibits and other documents (the packet) to be considered at the meeting.

Recording: Please note that all meetings held by videoconference will be recorded, and the recordings will be made public. While State Law does not required consent, by requesting an invitation, joining the meeting by link or streaming, all participants acknowledge and consent to their image and voice being recorded and made available for public viewing.

Accommodations: The Village of Hampshire, in compliance with the Americans With Disabilities Act, requests that persons with disabilities, who require certain accommodations to allow them to observe and/or participate in the meeting(s) or have questions about the accessibility of the meeting(s) or facilities, contact the Village at 847-683-2181 to allow the Village to make reasonable accommodations for these persons.

**VILLAGE OF HAMPSHIRE  
PLANNING & ZONING COMMISSION**

**MINUTES  
September 27, 2021**

A meeting of the Hampshire Planning & Zoning Commission was called to order at 7:00 p.m. by Chair B. Mroch. Members present: Chair B. Mroch, and Commissioners R. Frillman, H. Hoffman, A. Neal, L. Rapach, in person; and W. Rossetti and T. Wetzel. Also present were: J. Wray, assistant to the Village Manager, and M. Schuster, Village Attorney.

After comment regarding two typographical errors (p. 1, p. 3) in the minutes presented, on motion by L. Rapach, seconded by A Neal, the minutes of the meeting of the Commission held on June 28, 2021, as corrected, were approved by vote of 5 aye, 0 nay (Mr. Wetzel's remote connection was disrupted at this time). Mr. Wetzel re-joined the meeting.

The first order of business was to consider the Petition for Special Use filed by Datoli Properties, LLC for a special use for a towing service to be located at 220 Keyes Avenue, in the M-2 General Industrial Zoning District, in the Village.

On motion made by H. Hoffman, seconded by A. Neal, and vote of 6 aye, 0 nay, the public hearing was opened at 7:03 p.m.. The Village Attorney announced that notice of the public hearing had been published in the Daily Herald newspaper on September 3 , 2021, and a certificate of publication was on file with the Village Clerk.

Mr. Santino Datoli then made a presentation to the Board, in support of the Petition. He recited that notice had been posted on the property, and notice had been mailed to neighboring property owners. He explained that he had been operating a tow service at this location under lease agreement for a few months, and then purchased the property. The Village has made him aware that the business needs a special use approval to continue to operate such a business at this location. The location provides a storage yard and business location in addition to the main location for Datoli Towing in Addison, Illinois. Storage of vehicles will take place within the fenced area at the north end of the property. The storage yard should hold about 40 vehicles in total. The location will be open from 11:00 a.m. to 4:00 p.m. daily and will be manned during those hours. The business will rely on security cameras for after hours surveillance. It is not anticipated that the hours of business will be expanded in the future.

No other persons were present to speak at the public hearing in regard to the Petition.

Mr. Wray reminded the commissioners that recommendation and approval of the requested special use will require a finding pursuant to § 6-9-3 of the Village Zoning Regulations that the proposed special use is an "other manufacturing, processing, and storage uses determined by the Plan Commission to be of the same general character as the uses permitted in this section, and found not to be obnoxious, unhealthful, or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, odors, toxic or noxious matter, glare, or heat."

On motion by H Hoffman, seconded by R. Frillman, to recommend approval of the Petition for Special Use filed by Datoli, to allow a towing service in the M-2 General Industrial Zoning District, the vote was 6 aye, 0 nay. Motion passed.

On motion by L. Rapach, seconded by H. Hoffman, to authorize the Chair to report on these Agenda Items to the Board of Trustees, the vote was 6 aye, 0 nay. Motion passed.

The Board was informed that the Village may proceed with one or two Petitions for Zoning Text Amendment, one regarding notice to neighboring owners, and a Petition for Variation, at an upcoming meeting date, likely the 4<sup>th</sup> Monday of October.

On motion duly made and seconded, the meeting was adjourned at 7:23 p.m.

Respectfully submitted,

---

B. Mroch  
Chair

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Gerald Tully and Bridget Clemens have filed with the Clerk of the Village of Hampshire a Petition for Variance to reduce setbacks on the property to wit: to zero (0) feet from the adjacent alleyway instead of ten (10) feet, and to the current distance from the southern lot line instead of five (5) feet, and also, to allow a height of twenty-three (23) feet instead of fifteen (15) feet, all to allow for reconstruction of a garage at its present location on the subject property. The subject property is legally described as follows:

Lots 7 and 8 in Block 2 of Reed and Shole's Addition to Hampshire, in the Village of Hampshire, Kane County, Illinois.  
PIN01-21-484-007

Common Address: 304 Park Street, Hampshire, IL

A Public Hearing on the Petition for Variance will be conducted by the Village of Hampshire Planning & Zoning Commission on Monday, October 25, 2021, commencing at 7:00 p.m. at the Village Hall, 234 South State Street, Hampshire Illinois. A copy of each Petition is available for review at the Village Hall during regular business hours. The Village Clerk may be contacted by phone, 847-683-2181 Ext. 0, or by e-mail at [lvasquez@hampshireil.org](mailto:lvasquez@hampshireil.org).

It is anticipated that provision will be made for members of the Commission, and of the public, to attend the public hearing remotely. If such provision is made, anyone who desires to attend the meeting via video- or tele-conferencing must notify the Village Clerk by phone or e-mail per the information above, with his/her request, no later than 12:00 noon two days prior to the meeting date; and a link to participate will be sent to his/her e-mail address the day of the meeting. In addition, written comment on the Petitions may be submitted in writing to the Village Clerk at Village Hall, 234 S. State Street, Hampshire, or via the e-mail address above, in advance of the meeting date. All interested persons will be given an opportunity to be heard.

s/ Linda Vasquez, Village Clerk  
Published in Daily Herald October 8, 2021 (4571603)

**CERTIFICATE OF PUBLICATION**

**Paddock Publications, Inc.**

**Daily Herald**

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, North Aurora, Bannockburn, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn, East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Franklin Park, Geneva, Gilberts, Glenview, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Highland Park, Highwood, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Bluff, Lake Forest, Lake in the Hills, Lake Villa, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Melrose Park, Montgomery, Morton Grove, Mt. Prospect, Mundelein, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Riverwoods, Rolling Meadows, Rosemont, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow, St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills, Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood, Wilmette

County(ies) of Cook, Kane, Lake, McHenry and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 10/08/2021 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.  
DAILY HERALD NEWSPAPERS

BY   
Authorized Agent

Control # 4571603



Village of Hampshire  
234 S. State Street, Hampshire IL 60140  
Phone: 847-683-2181 www.hampshireil.org

## Agenda Supplement

---

**TO:** Planning and Zoning Commission  
**FROM:** Josh Wray, Assistant to the Village Manager  
**FOR:** Planning and Zoning Commission Meeting on October 25, 2021  
**RE:** Variance – Garage at 304 Park

---

**Background:** The owner of the residential property at 304 Park St. (Tully) currently has a garage that does not conform with certain setback and building height requirements for the R-2 Single Family Residential zoning district (presumably grandfathered-in since there are no permit records for the house or garage). The owner would now like to rebuild/expand the garage, which would cause the zoning regulations to take effect, including moving the garage at least 5 feet off all property lines and 10 feet from the alley as well as restricting the height of the garage to 15 feet. Furthermore, the garage currently site approximately 1.5 feet outside of the property and into the alley.

The owner would like relief from these regulations because he currently has a brick and stone fence and a portion of a tree in the way of the location which would be required for the garage under the Zoning Regulations, and he does not want to remove/replace them. The owner has expressed that he is willing to move the garage as necessary to place it out of the alley and completely onto his property.

**Analysis:** Subsection 6-14-3-F of the Village zoning regulations provides that a variance shall be approved only in cases of “practical difficulty or particular hardship.” Specifically, the Planning and Zoning Commission is to consider the following factors:

1. the physical surroundings, shape, or topography of the specific property involved bring a particular hardship upon the owner as distinguished from a mere inconvenience;
2. the conditions upon which the petition for variation is based would not be applicable generally to other property within the same district;
3. the purpose of the variation is not based exclusively upon a desire to make more money out of the property;
4. the alleged difficulty or hardship has not been created by any person presently having an interest in the property;
5. the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; or
6. 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 the public safety, or substantially diminish or impair property values within the neighborhood.

**Action Needed / Recommendation:** Consider whether the alleged difficulties rise to a hardship occasioned by the strict letter of the setback and building height regulations and recommend accordingly.

If the Commission does recommend any variation, staff recommends including a provision that requires the garage to be moved out of the alley and completely onto the owner's property (i.e., set back zero feet from the alley).

PAID

SEP 24 2021



Village of Hampshire  
234 S. State Street, Hampshire, IL 60140  
Phone: 847-683-2181 • www.hampshireil.org

DEVELOPMENT APPLICATION

Case Number: \_\_\_\_\_

Date Filed: 9/24/2021

The Undersigned respectfully petitions the Village of Hampshire to review and consider granting the following approval(s) on the land herein described.  
(check all that apply)

- Variance
- Special Use Permit
- Rezoning from \_\_\_\_\_ District to \_\_\_\_\_ District (ex. M1 to M2)
- Annexation
- Concept Plan Review
- Preliminary Plan Review
- Final Plan Review
- Other Site Plan Review

PART I. APPLICANT INFORMATION

APPLICANT (Please Print or Type)

Name: Gerald Tully Email: Gtully63@gmail.com  
 Address: 304 Park St. Hampshire, 60140  
 Phone: (630) 319-0149 Fax: \_\_\_\_\_

CONTACT PERSON (If different from Applicant)

Name: Gerald Tully Email: G.Tully63@gmail.com  
 Address: 304 Park St Hampshire 60140  
 Phone: (630) 319-0149 Fax: \_\_\_\_\_



**\* IS THE APPLICANT THE OWNER OF THE SUBJECT PROPERTY?**

YES  NO

(If the Applicant is not the owner of the subject property, a written statement from the Owner authorizing the Applicant to file the Development Application must be attached to this application)

**\* IS THE APPLICANT AND/OR OWNER A TRUSTEE/BENEFICIARY OF A LAND TRUST?**

YES  NO

(If the Applicant and/or owner of the subject property is a Trustee of a land trust or beneficiary(ies) of a land trust, a Disclosure Statement identifying each beneficiary of such land trust by name and address, and defining his/her interest therein, shall be verified by the Trustee and shall be attached hereto).

---

**PART II. PROPERTY INFORMATION**

Address: 304 Park St., Hampshire 60140

Parcel Number(s): 01-21-484-007

Total Area (acres): 0.29

Legal Description: must be attached to this application

The property is located in which FIRE PROTECTION DISTRICT? Hampshire

The property is located in which PARK DISTRICT? Hampshire

The property is located in which SCHOOL DISTRICT? D300

The property is located in which LIBRARY DISTRICT? Ella Johnson

The property is located in which TOWNSHIP ROAD DISTRICT? Hampshire

Current Zoning: R2

Proposed Zoning/Variance:

Variance for setback requirements

Recommended Land Use: residential

(As described in the Hampshire Comprehensive Plan)

Proposed Land Use: residential

Name of Proposed Development: \_\_\_\_\_



**PREPARED BY:**

Rachel A. Moreau Newby, Esq.  
The Law Offices of Rachel A. Moreau Newby, P.C.  
P.O. Box 1708  
Crystal Lake, Illinois 60039-1708

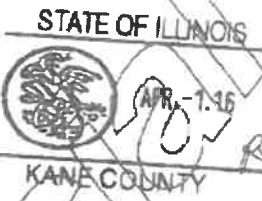
**2016K015334**  
**SANDY WEGMAN**  
**RECORDER - KANE COUNTY, IL**

RECORDED: 4/1/2016 01:37 PM  
REC FEE: 48.00 RHPDS FEE: 9.00  
STATE TAX: 200.00  
COUNTY TAX: 100.00  
PAGES: 2

**WARRANTY DEED**

GRANTORS, Christopher C. Gaydos and Jennifer L. Gaydos, husband and wife, for and in consideration of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration in hand paid, CONVEYS and WARRANTS to Gerald Tully and Bridget Clemens, of ~~605 Lilly St.~~ Elgin IL 60120 Illinois, not as Joint Tenants, or as Tenants in Common but as Tenants by the Entirety, the following described Real Estate situated in the County of Kane, State of Illinois, to wit:

STATE & COUNTY TAX



# 0000035175

REAL ESTATE TRANSFER TAX
0030000
FP35 1013

*\* husband and wife*

LOTS 7 AND 8 IN BLOCK 2 OF REED AND SHOLES ADDITION TO HAMPSHIRE, IN THE VILLAGE OF HAMPSHIRE, KANE COUNTY, ILLINOIS.

Permanent Real Estate Index Number(s): 01-21-484-007  
Address of real estate: 304 Park Street, Hampshire, Illinois 60140

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption laws of the State of Illinois

SUBJECT TO: General Taxes for 2015 and subsequent years, covenants, conditions, restrictions of record, building line and easements, if any, so long as they do not interfere with Purchasers' use and enjoyment of the property.

Dated this 23<sup>rd</sup> day of March 2016.

K16047

*[Signature]*  
Christopher C. Gaydos

*[Signature]*  
Jennifer L. Gaydos

Return To:  
First United Title Services Inc.  
820 E. Terra Cotta Ave., #114  
Crystal Lake, IL 60014



Attachment A

**Developer's Agreement with Respect to Development Fees and Deposits**

The undersigned Developer acknowledges that he/she has filed a DEVELOPMENT APPLICATION with the Village, requesting Zoning Variance  
(type of action(s) requested)

and further, acknowledges that the Village Code requires that he/she reimburse the Village for all professional fees incurred for engineering, legal, consultant, and other outside services in regard to this application and all other matters related to the proposed development or zoning request.

The Developer agrees to be bound by the terms of the Village Code in this regard.

The Developer also is required to, and hereby does, submit a deposit, to be held by the Village to secure reimbursement of such fees, in accordance with the current schedule of deposits required by the Village for the type of land use action requested. Said deposit shall be held as security for payment of such fees and will be applied by the Village to payment of such fees upon default by Developer. Any balance remaining, after payment of all such fees, including reasonable attorney fees and court costs incurred by the Village in discussing, negotiating, or enforcing the terms of this Agreement, shall be returned to Developer.

Any interest earned on funds on deposit shall accrue to the Village.

[Signature]  
Signature

9/23/2021  
Date

RECEIPT OF INITIAL FEE DEPOSIT ACKNOWLEDGED BY VILLAGE CLERK

[Signature]  
Village Clerk's Signature

\$ 500.00 <sup>OK 1068</sup>  
Amount

**This form must be executed and accompany all Development Applications. No Application will be accepted or processed without this completed form.**

Site Address	Property Inex Number	Property Owner	Notes	Mailing Address
301 Oak St.	01-21-484-011	Zion United Methodist Church/John Bidinger	West	330 Terwilliger St., Hampshire IL 60140
152 W. Jackson Ave.	01-21-481-004	Starfish Properties LLC	North West	415 Prarieview PKWY, Hampshire IL 60140
284 Park St.	01-21-481-008	Leucht, Walter and Judith	North	PO Box 445, Hampshire IL 60140
120 W. Jackson Ave.	01-21-482-004	Schneeberger, David	Northe East	same as site
121 W. Jackson Ave.	01-21-485-001	Anderson, Lavina	East	PO Box 401, Hampshire IL 60140
325 Park St.	01-21-485-003	Boxleitner, Karen and Norman	South East	PO Box 744, Hampshire IL 60140
332 Park St.	01-21-484-008	Rath, Mari Kay	South	42W611 Kiwi CT., Hampshire IL 60140
329 Oak St.	01-21-484-003	Best, Karen and Charles	South West	45W680 Allen Rd, Hampshire IL 60140

# PLAT OF SURVEY

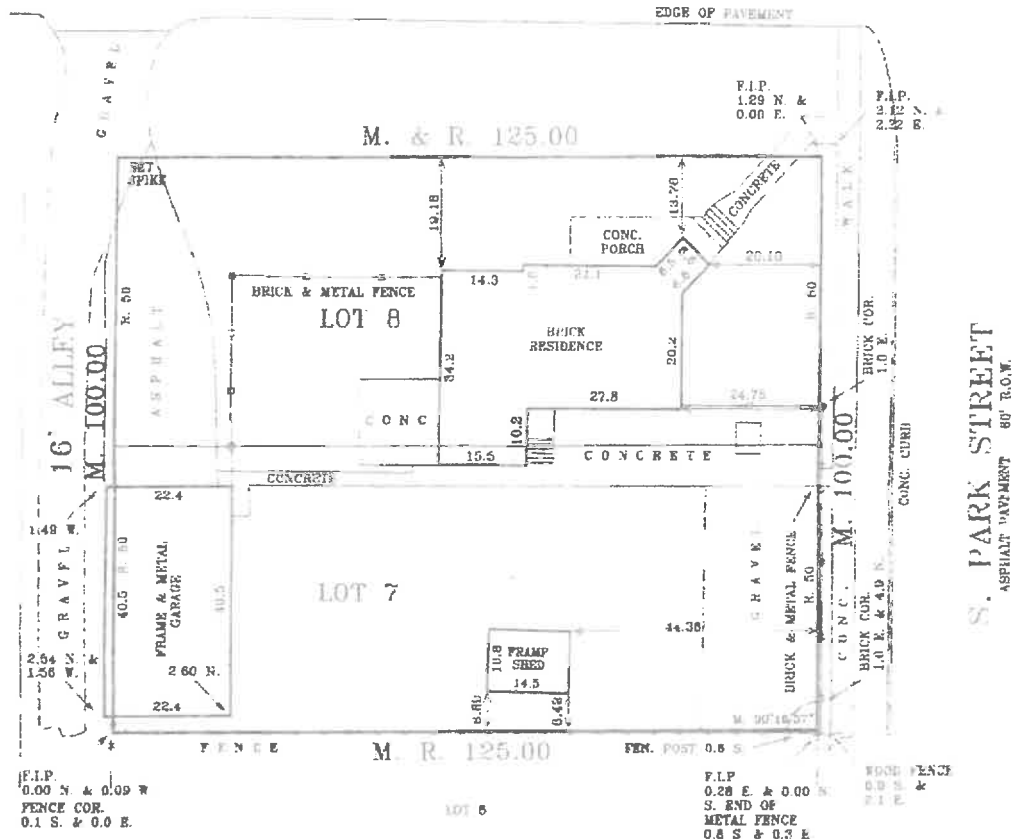
LOT 7 AND 8 IN BLOCK 2 OF REEF AND SHOALS ADDITION TO HAMPSHIRE IN THE VILLAGE OF HAMPSHIRE, KANE COUNTY, ILLINOIS

COMMONLY KNOWN AS 301 S. PARK STREET, HAMPSHIRE, IL 60140

SCALE 1"=50'

## W. JACKSON AVE.

ASPHALT PAVEMENT - 60' R.O.W.



AREA OF PARCEL SURVEYED.  
0.29 ACRE, MORE OR LESS.

STATE OF ILLINOIS )  
COUNTY OF COOK )

I, DIRK LAUTERBACH, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A REPRESENTATION OF SAID SURVEY. THE FIELD WORK WAS COMPLETED ON 3/25/2016

DATED THIS 26th DAY OF MARCH, 2016

*Dirk Lauterbach*

**DIRK LAUTERBACH**  
PROFESSIONAL LAND SURVEYOR

413 GREENHILL LANE, SCHLAUBURG, IL 60193  
(647) 850-8194, dirkpls@yahoo.com

LICENSE EXPIRES NOV. 2016

NOTES:  
ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF  
M. = MEASURED, R. = RECORD  
F.I.P. = FOUND IRON PIPE  
FOR EASEMENTS, BUILDING LINES AND OTHER RESTRICTIONS NOT SHOWN ON THIS PLAT REFER TO YOUR ABSTRACT, DEED, TITLE POLICY AND LOCAL ORDINANCES. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS OF PRACTICE APPLICABLE TO BOUNDARY SURVEYS

CLIENT'S NAME:  
RACHEL A. MORAU NEWBY, P.C.  
SURVEYOR'S FILE NO. 1475

# 304 PARK ST. ZONING VARIANCE REQUEST

---

9-16-2021 – GERALD TULLY



## **SUMMARY:**

- **CURRENT STRUCTURE IS DILAPIDATED AND NEEDS TO BE REBUILT. PROPOSING TO USE EXISTING STRUCTURE FRAMEWORK AND FOUNDATION TO REPAIR AND ADD TO THE EXISTING STRUCTURE.**
- **STRUCTURE VIOLATION TO CURRENT ZONING CODE SETBACK REQUIREMENTS:**
  - Structure must be 10' from alleyway
  - Structure must be 5' from any property line
  - Structure may not exceed 15' height

## **REQUEST FOR ZONING VARIANCE TO BELOW:**

- Structure must be 10' from alleyway – requesting to keep structure on property line as current
- Structure must be 5' from any property line – current structure is 2.5' from south property line and requesting variance to allow 3'
- Structure may not exceed 15' height – current structure is 16' tall and requesting variance to increase to 23'





# CURRENT PLOT VIEW

Backyard green space =  
 $40' \times 125' = 5000 \text{ ft}^2$

Garage space =  $22' \times 40' =$   
 $880 \text{ ft}^2$

$880/5000 = .18$

Brick and Iron Fence Line

22'

40'

Telephone Post



# PROPOSED GARAGE EXPANSION

Backyard green space =  
 $40' \times 125' = 5000 \text{ ft}^2$

Garage space =  $30' \times 40' =$   
 $1120 \text{ ft}^2$

$1200/5000 = .224$



28'

40'

# CURRENT GARAGE FRONT VIEW

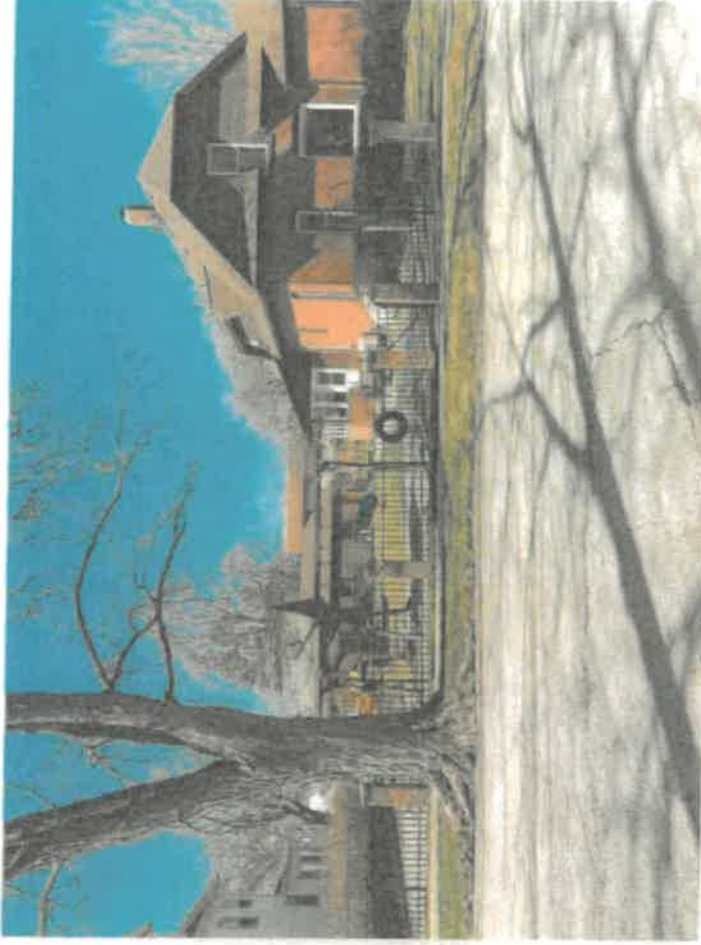


16'

Proposed height for  
new garage: 23'



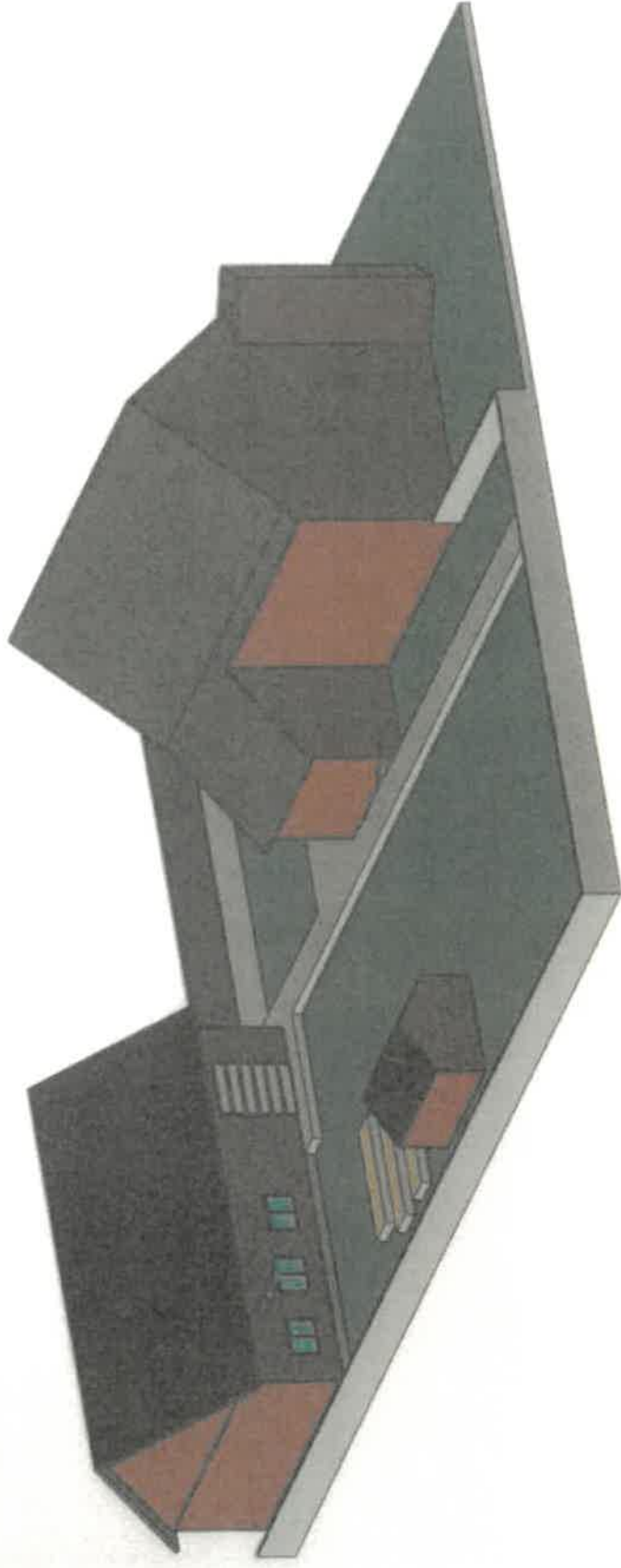
**GARAGE EAST SIDE VIEW**



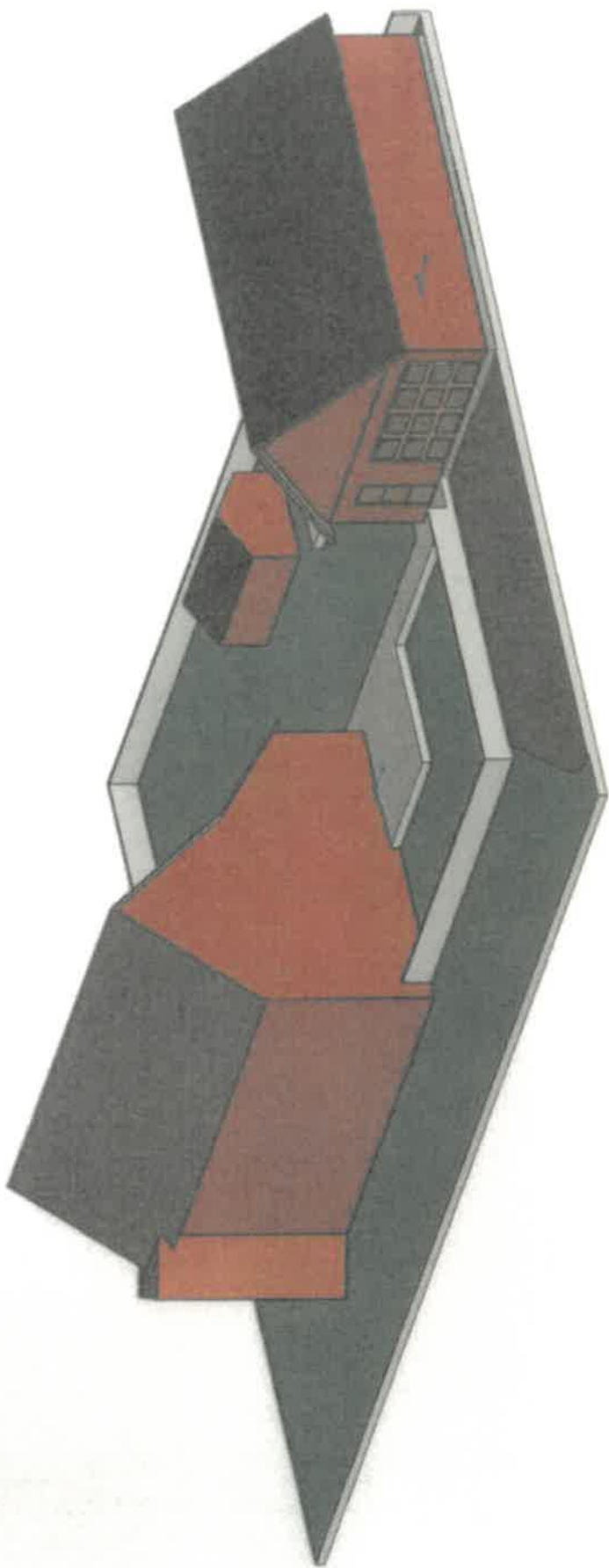
# GARAGE WEST SIDE VIEW (ALLEY)



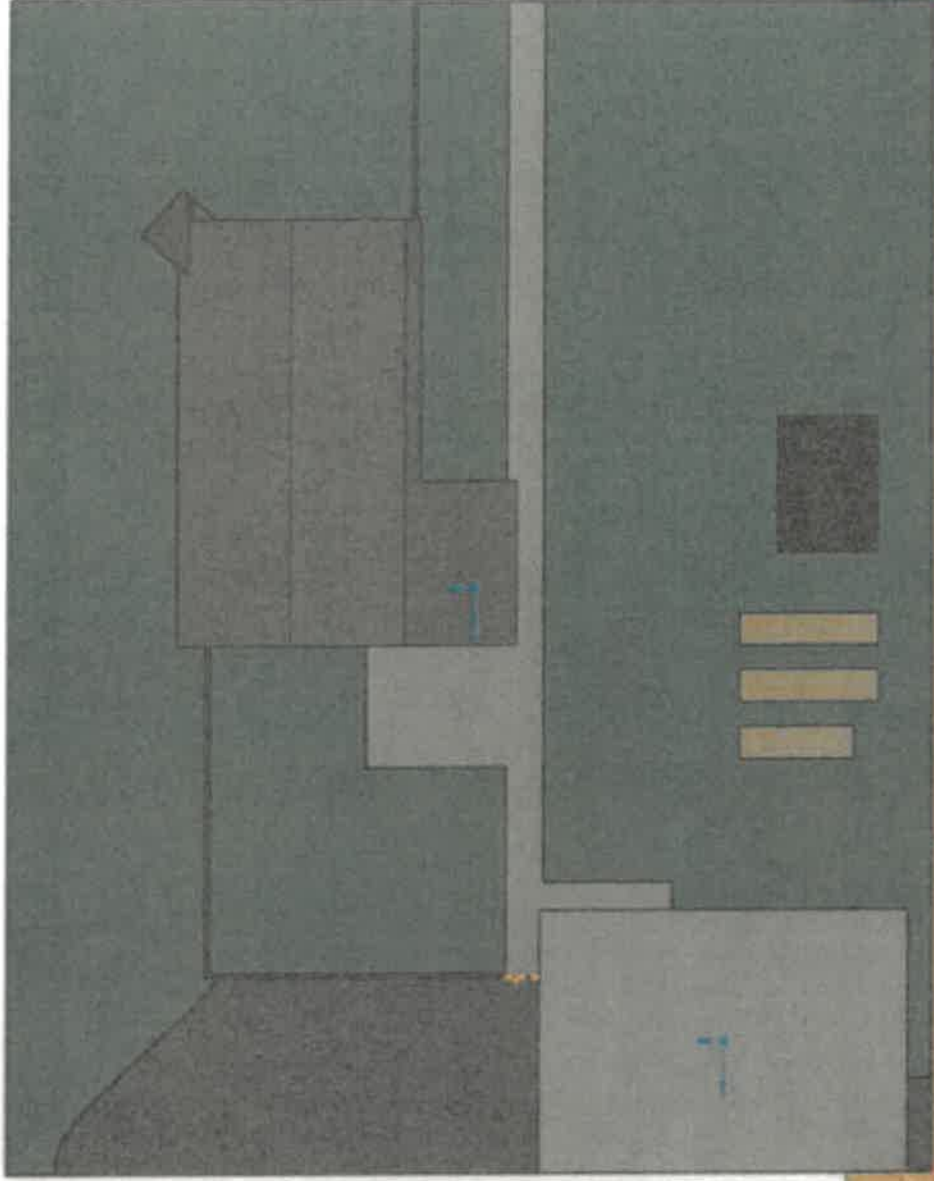
PROPOSED SITE LAYOUT - EAST



PROPOSED SITE LAYOUT - WEST



# PROPOSED SITE LAYOUT - TOP



36"

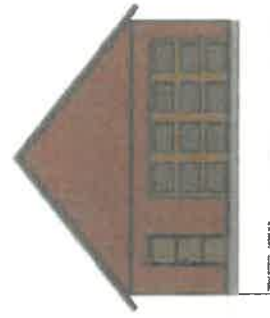


# ARCHITECTURAL LANDSCAPE

4 3 2 1



B



B



- Notes:
- Sliding - Vinyl
  - Roof - Asphalt Architectural

A

TITLE  
28'x40' Garage

SIZE DIMS NO. REV  
B SCALE 1:5000'SITE. SHEET 1 OF 1

DATE 11/11/11  
DRAWN BY J. B. BROWN  
CHECKED BY J. B. BROWN  
PROJECT NO. 11-001  
SCALE 1:5000'SITE.  
SHEET 1 OF 1

PROJECT NO. 11-001  
DATE 11/11/11  
DRAWN BY J. B. BROWN  
CHECKED BY J. B. BROWN  
PROJECT NO. 11-001  
SCALE 1:5000'SITE.  
SHEET 1 OF 1

4 3 2 1



September 23, 2021

**Village of Hampshire**

Jeff Hedges  
234 S State St P O Box 457  
Hampshire IL 60140

Re: Land Use Opinion Application # 21-081

Petitioner:  
Gerald Tully  
304 Park St  
Hampshire, IL 60140

Owner:  
Same

Parcel # 01-21-484-007                      Location Address: 304 Park St, Hampshire, IL 60140  
Township: Hampshire, Section 21, Township 42N, Range 6E in Kane County  
Zoning change: Variance

The KDSWCD has carefully reviewed your application for a Land Use Opinion and Natural Resources Inventory. According to the Land Use Opinion (LUO) policy of the KDSWCD, a full LUO report is not required. Everyone has the responsibility for protecting the environment and local natural resources, in order to sustain our natural resources on which we depend for a quality life. Any disturbance of soil, vegetation, or other natural resources, no matter how small, can have a negative impact on the environment if development is done carelessly. This letter fulfills the requirement to notify the Kane-DuPage Soil and Water Conservation District (KDSWCD) of land use changes as per the Illinois Compiled State Statutes, Chapter 70, Par. 405/1 et seq. Illinois Revised Statutes, Ch. 5, Part 106 et seq.

The application for the proposed land use change and/or the accompanying plan and description of the proposed land use change meets one of the following criteria; the area of planned disturbance is less than 5000 square feet, the whole parcel is less than ¼ acre and planned disturbance is less than 5000 square feet, or the entirety of the parcel has been previously altered and developed and no undisturbed natural resources remain intact. Parcels that meet any of the preceding criteria have minimal natural resources that would be impacted by the proposed land use change. However, if there are deviations from the submitted application or plan, a full LUO report may be required and an application may need to be resubmitted.



In any development or land use change, use best management practices to keep the soil covered as much as possible to prevent soil erosion, use erosion control measures to prevent soil from leaving the site to limit negative impacts to water quality, use permeable pavers or other practices to keep stormwater onsite, use native vegetation as much as possible, and protect existing native trees and shrubs from damage.

No wetlands, hydric soils or floodplain have been identified in or adjacent your parcel. Not all wetlands in the county have been identified, so use caution in working in wet areas or areas of hydric soils. Earthwork that may impact wetlands or floodplains require permits before construction activities commence and a certified wetland determination may be required. Please contact the U.S. Army Corps of Engineers and the Kane County Division of Environmental Water Resources for permit information or requirements prior to any land disturbance.

If there are questions concerning which best management practices to use during construction and land use change activities, or if you have any questions concerning this letter, please contact the KDSWCD office at the address or phone below.

Sincerely,

Jennifer Shroder  
Resource Assistant

630/584-7960 x3

**NOTICE OF PUBLIC HEARING**

NOTICE is hereby given that a Petition for Zoning Text Amendment has been filed with the Hampshire Village Clerk by the Village Zoning Administrator, to amend the Village Zoning Regulations by adding a new zoning district, REC-Recreation Zoning District, to allow for certain permitted and special uses, accessory uses, specifications for bulk requirements, and related matters for such a district. NOTICE is also given that a Petition for Zoning Text Amendment has been filed with the Hampshire Village Clerk by the Village Zoning Administrator, to amend the Village Zoning Regulations by adding certain notice requirements in Section 6-14-3 of the Village Code, relating to petitions for special use and for amendments of zoning classifications (re-zonings).

A Public Hearing on each Petition will be held by the Village of Hampshire Planning & Zoning Commission at its regularly scheduled meeting on Monday, October 25, 2021 commencing at 7:00 p.m. at the Hampshire Village Hall, 234 South State Street, Hampshire, Illinois. A copy of the Petition is available for public review at the Village Hall during regular business hours.

It is anticipated also that a link for on-line participation in the meeting via video conferencing, and/or an opportunity to participate in the meeting via telephonic link will be available from the office of the Village Clerk for any person desiring to attend the public hearing remotely. Please contact the Village Clerk for information. In addition, written comment on the proposal may be submitted to the Village Clerk in advance of the meeting date in writing at Village Hall, 234 S. State Street, Hampshire, or by e-mail to [lvasquez@hamphireil.org](mailto:lvasquez@hamphireil.org). All interested persons will be given an opportunity to be heard.

s/ Linda Vasquez, Village Clerk  
Published in Daily Herald October 8, 2021 (4571604)

**CERTIFICATE OF PUBLICATION**

**Paddock Publications, Inc.**

**Daily Herald**

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, North Aurora, Bannockburn, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn, East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Franklin Park, Geneva, Gilberts, Glenview, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Highland Park, Highwood, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Bluff, Lake Forest, Lake in the Hills, Lake Villa, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Melrose Park, Montgomery, Morton Grove, Mt. Prospect, Mundelein, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Riverwoods, Rolling Meadows, Rosemont, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow, St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills, Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood, Wilmette

County(ies) of Cook, Kane, Lake, McHenry and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 10/08/2021 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.  
DAILY HERALD NEWSPAPERS

BY   
Authorized Agent

Control # 4571604



Village of Hampshire  
234 S. State Street, Hampshire IL 60140  
Phone: 847-683-2181 www.hampshireil.org

## Agenda Supplement

---

**TO:** Planning and Zoning Commission  
**FROM:** Josh Wray, Assistant to the Village Manager  
**FOR:** Planning and Zoning Commission Meeting on October 25, 2021  
**RE:** Recreational Zoning District

---

**Background:** In recent months, Village staff has been approached by several potential commercial developments related to recreational activities. Staff discovered that, while some recreational uses are permitted in some zoning districts, the current provisions provide neither comprehensive regulations regarding recreational uses nor the ability to effectively plan for or implement future recreational areas in the Village. Specifically, Brier Hill Ventures, owners of the Midwest Companies recycling center being built on Brier Hill Rd., is in the process of planning the annexation and development of the additional ~85 acres purchased west of their current site to include a campground for high-end coaches.

**Analysis:** Several recreational uses are already permitted in the Village, including community centers, museums, parks and playgrounds, theme parks, golf courses, country clubs, meeting halls, and gyms. However, these uses are scattered throughout many estate, residential, commercial, and industrial zoning districts, and staff believes these provisions do not encompass all the potential uses the Village will see in the near and further future.

The attached regulations for consideration create a new zoning district that not only meets the near-term needs of Brier Hill Ventures but also provides a broad framework for recreational uses in the Village that can be incorporated into comprehensive planning and modified over time as needed.

**Recommendation:** Staff recommends the Planning and Zoning Commission recommend approval of the attached text amendment creating the Recreational Zoning District.

**PETITION  
FOR ZONING TEXT AMENDMENT**

TO: President and Board of Trustees  
Village of Hampshire, Kane County, Illinois

Please consider the following request for amendment of the existing Village Zoning Regulations, Hampshire Municipal Code of 1985, as amended, Chapter 6: Zoning Regulations, Article VIII, Business Districts, to add new provisions governing a new Recreational Zoning District, including permitted and special uses, accessory uses, specifications for bulk requirements, and related matters for such a district.

A copy of the proposed amendment is attached hereto as Exhibit "A."

Please schedule a public hearing for consideration of this proposal before the Village Planning & Zoning Commission, as soon as practicable.

Dated: October 1, 2021.

Respectfully submitted,



---

Jay Hedges  
Zoning Administrator

**PETITION FOR ZONING TEXT AMENDMENT  
EXHIBIT "A"**

---

<b>CHAPTER 6</b>	<b>ZONING REGULATIONS</b>
<b>ARTICLE VIII</b>	<b>BUSINESS DISTRICTS</b>
<b>SECTION 6-8-9</b>	<b>REC - RECREATIONAL DISTRICT:</b>

A. Purpose: The purpose of the REC-Recreational District is to provide for various recreational uses not otherwise allowed in the Village of Hampshire, and to encourage the development of recreational uses at designated locations in the Village having access to public highways and/or arterial roadways.

B. Land Use Regulations:

1. General Standards: Uses permitted in the REC District are subject to the following standards:

a. All business activity and servicing shall take place within completely enclosed buildings unless otherwise specified. All storage of property, except of motor vehicles in operable condition, shall be in completely enclosed buildings or structures.

b. All outdoor uses, except for public uses, must be effectively screened from any abutting residential property with appropriate landscaping.

c. Outdoor Lighting:

a. All outdoor lighting shall be arranged so as not to direct or reflect light directly into adjacent residential districts and streets and shall be extinguished no later than thirty (30) minutes after the close of the business or the use being served.

b. All outdoor lighting must be no more than thirty (30) feet tall at the highest point from ground level.

c. Exemptions from or modifications to these provisions for a use occupying all or any part of the property in question may be approved upon request to and approval by the Village.

d. Off Street Loading and Parking:

a. Off street loading and parking facilities may be unenclosed throughout the REC District. Such unenclosed areas shall be effectively screened by a solid wall or fence (including solid entrance and exit gates) not less than six feet (6') nor more than eight feet (8') in height, or a landscaped buffer planted to effectively screen such parking and loading areas.

b. The number of parking spaces required for any permitted use in the District shall be set in accordance with the requirements of Section 6-11-2 of this Code, or, for any particular use not identified therein, one (1) space per four (4) persons in designed capacity or one (1) space per one thousand (1,000) square feet of lot

area, whichever is greater; or for any special use, by the special use review and approval process.

C. Permitted Uses: In the REC District, the only permitted uses shall be as follows:

Auditoriums, exhibition halls, banquet facilities, and meeting rooms.

Country clubs

Fitness centers / health spas

Libraries

Movie theaters and playhouses - indoor

Museums

Open space – public or private – including but not limited to bicycle paths, hiking trails, interpretive trails, or passive open space.

Parks and recreation areas - publicly owned and/or operated.

Playgrounds – with suitable play equipment; and including tot lots

Skating rinks

Studios for professional work or teaching of any form of the arts, including but not limited to photography, music, drama, dance, cooking, karate, computer use, yoga, and other similar uses

Swimming pools - Indoor and outdoor

Wedding venues - Indoor and outdoor wedding venues

Accessory uses to permitted uses or approved special uses, including but not limited to administrative structures, restroom facilities, concession facilities, activity buildings, boat ramps and docks, club houses, and other similar uses.

D. Special Uses: In a REC District, the following may be allowed as special uses:

Horseback riding stables and trails

Other indoor and outdoor event venues, including but not limited to stadiums, amphitheatres, and bandshells.

Outdoor amusement establishments, water parks, miniature golf courses, kiddie parks, and similar amusement centers.

Recreational camping for temporary use only, including motor coach parks

Solar Energy Systems, as defined in and subject to the restrictions set forth in chapter 5, article XVIII of this Code

Sports and athletic facilities – indoor and outdoor – including but not limited to fields for baseball, football, or soccer; basketball courts; tennis courts, and other similar uses.

Wind energy systems, as defined in and subject to the restrictions set forth in chapter 5, article XVII of this Code

Other recreational uses deemed by the Planning and Zoning Commission to be of the



same general character as those listed herein.

F. Lot Area, Yard, and Bulk Requirements:

- |  |                                |
|--|--------------------------------|
| 1. Minimum lot area                    | 25,000 square feet             |
| 2. Minimum lot width                   | 150 feet                       |
| 3. Minimum lot depth                   | 150 feet                       |
| 4. Minimum yard setback:               |                                |
| a. Adjacent to a street or road:       | 100 feet                       |
| b. Abutting an adjoining property:     | 25 feet                        |
| 5. Maximum lot coverage                | 50 percent                     |
| 6. Maximum impervious surface coverage | 70 percent                     |
| 7. Floor area ratio                    | 0.25                           |
| 8. Height of principal use             | Lesser of 3 stories or 50 feet |
| 9. Height of accessory use             | Lesser of 1 story or 15 feet   |



## Village of Hampshire

234 S. State Street, Hampshire IL 60140  
Phone: 847-683-2181 www.hampshireil.org

### Agenda Supplement

---

**TO:** Planning and Zoning Commission  
**FROM:** Josh Wray, Assistant to the Village Manager  
**FOR:** Planning and Zoning Commission Meeting on October 25, 2021  
**RE:** Public Notice Requirements for Special Use / Rezoning

---

**Background:** By convention, the Village has required applicants for special uses or rezoning to notify via certified mail all property owners within 250' of the affected property about the public hearing to be held by the Planning and Zoning Commission (formerly by the Zoning Board of Appeals). This requirement for special uses and rezoning, however, is not codified in the Village Code as it is for variances.

**Analysis:** The following communities require notification to nearby/adjacent property owners of public hearings regarding applications for special use and for rezoning: Huntley, Pingree Grove, West Dundee, Gilberts, Elburn, Marengo, and Genoa. Furthermore, the Zoning Board of Appeals, and now the Planning and Zoning Commission, has been requiring such public notices for years without issue.

**Recommendation:** Staff recommends that the Planning and Zoning Commission recommend approval of the attached text amendment requiring written notice of public hearing to be sent via certified mail to all property owners within 250' of the property in question for all applications for special use or rezoning.

**PETITION  
FOR ZONING TEXT AMENDMENT**

TO: President and Board of Trustees  
Village of Hampshire, Kane County, Illinois

Please consider this request for amendment of the existing Village Zoning Regulations, Hampshire Municipal Code of 1985, as amended, Chapter 6: Zoning Regulations, Article 14: Administration, in Section 6-14-3, to add new provisions of appropriate language requiring written notice to be mailed to property owners within 250 feet of the location of a request for zoning amendment, special use, and/or variation.

A copy of the proposed amendment is attached hereto as Exhibit "A."

Please schedule a public hearing for consideration of this proposal before the Village Planning & Zoning Commission, as soon as practicable.

Dated: October 1, 2021.

Respectfully submitted,



---

Jay Hedges  
Zoning Administrator

**PETITION FOR ZONING TEXT AMENDMENT  
EXHIBIT "A"**

---

CHAPTER 6	ZONING REGULATIONS
ARTICLE XIV	ADMINISTRATION
SECTION 6-14-3	PLANNING & ZONING COMMISSION

F. Variations:                   \*   \*   \*

6. For any petition for variation from the zoning regulations, the following notices shall be required:

- a. By publishing in one or more newspapers published in the Village, or if no newspaper is published in the Village, then in one or more newspapers with a general circulation within the Village, a notice of the time and date of the public hearing to be held for consideration of the application for variation.
- b. By posting a sign on the property which is the location for which the variation has been requested, giving notice of the date and time of public hearing to be held for consideration of the proposed variation.
- c. By mailing a written notice, by certified mail, return receipt requested, to all owners of properties within 250 feet in each direction of the location for which the variation has been requested.

7. For any such notices,

- a. All such notices shall be given not more than thirty (30) days and not less than fifteen (15) days prior to the date of the public hearing.
- b. Time for notices shall be computed in accordance with subsection 6-14-2D of this article.
- c. The notice(s) shall state a brief statement of what the proposed variation consists; and the date, time and place that the public hearing will be held on the application for variation; and shall be in number, size and location, and include any other information, which may be prescribed by the zoning administrator.
- d. Posted notices shall be removed by the applicant from the subject property within fifteen (15) days after the public hearing has been held, and failure to do so shall constitute a violation of this chapter.

\*   \*   \*

**Village of Hampshire  
Planning & Zoning Commission  
Proposed Amendments to Zoning Regulations re Notice Requirements**

CHAPTER 6	ZONING REGULATIONS
ARTICLE XIV	ADMINISTRATION
SECTION 6-14-3	PLANNING & ZONING COMMISSION

F. Variations: \* \* \*

6. For any petition for variation from the zoning regulations, the following notices shall be required:

- a. By publishing in one or more newspapers published in the Village, or if no newspaper is published in the Village, then in one or more newspapers with a general circulation within the Village, a notice of the time and date of the public hearing to be held for consideration of the application for variation.
- b. By posting a sign on the property which is the location for which the variation has been requested, giving notice of the date and time of public hearing to be held for consideration of the proposed variation.
- c. By mailing a written notice, by certified mail, return receipt requested, to all owners of properties within 250 feet in each direction of the location for which the variation has been requested.

7. For any such notices,

- a. All such notices shall be given not more than thirty (30) days and not less than fifteen (15) days prior to the date of the public hearing.
- b. Time for notices shall be computed in accordance with subsection 6-14-2D of this article.
- c. The notice(s) shall state a brief statement of what the proposed variation consists; and the date, time and place that the public hearing will be held on the application for variation; and shall be in number, size and location, and include any other information, which may be prescribed by the zoning administrator.
- d. Posted notices shall be removed by the applicant from the subject property within fifteen (15) days after the public hearing has been held, and failure to do so shall constitute a violation of this chapter.

\* \* \*

**Village of Hampshire  
Planning & Zoning Commission  
Proposed Amendments to Zoning Regulations re Notice Requirements**

G. Amendments: \* \* \*

5. For any petition for amendment of zoning classification, or for amendment of the text of the zoning regulations, the following notice(s) shall be given:

- a. By publishing in one or more newspapers published in the Village, or if no newspaper is published in the Village, then in one or more newspapers with a general circulation within the Village, a notice of the time and date of the public hearing to be held for consideration of the application for amendment of zoning classification or amendment of the text of the zoning regulations.
- b. By posting a sign on the property which is the location for which an amendment of zoning classification has been requested, if any, giving notice of the date and time of public hearing to be held for consideration of the proposed zoning amendment.
- c. By mailing a written notice, by certified mail, return receipt requested, to all owners of properties within 250 feet in each direction of the location for which the proposed amendment of zoning classification has been requested.

6. For any such notices,

- a. All such notices shall be given not more than thirty (30) days and not less than fifteen (15) days prior to the date of the public hearing.
- b. Time for notices shall be computed in accordance with subsection 6-14-2D of this article.
- c. The notice(s) shall state a brief statement of what the proposed amendment consists; and the date, time and place that the public hearing will be held on the application for zoning amendment; and shall be in number, size and location, and include any other information, which may be prescribed by the zoning administrator.
- d. Posted notices shall be removed by the applicant from the subject property within fifteen (15) days after the public hearing has been held, and failure to do so shall constitute a violation of this chapter.

\* \* \*

H. Special Uses: \* \* \*

**Village of Hampshire  
Planning & Zoning Commission  
Proposed Amendments to Zoning Regulations re Notice Requirements**

6. For any petition for special use, the following notice(s) shall be given:
  - a. By publishing in one or more newspapers published in the Village, or if no newspaper is published in the Village, then in one or more newspapers with a general circulation within the Village, a notice of the time and date of the public hearing to be held for consideration of the application for special use.
  - b. By posting a sign on the property which is the location for which the special use has been requested, giving notice of the date and time of public hearing to be held for consideration of the proposed special use.
  - c. By mailing a written notice, by certified mail, return receipt requested, to all owners of properties within 250 feet in each direction of the location for which the special use has been requested.
  
7. For any such notices,
  - a. All such notices shall be given not more than thirty (30) days and not less than fifteen (15) days prior to the date of the public hearing.
  - b. Time for notices shall be computed in accordance with subsection 6-14-2(D) of this article.
  - c. The notice(s) shall state a brief statement of what the special use consists; and the date, time and place that the public hearing will be held on the application for special use; and shall be in number, size and location, and include any other information, which may be prescribed by the zoning administrator.
  - d. Posted notices shall be removed by the applicant from the subject property within fifteen (15) days after the public hearing has been held, and failure to do so shall constitute a violation of this chapter.

\* \* \*