

VILLAGE OF HAMPSHIRE ZONING BOARD OF APPEALS

Tuesday, September 24, 2019

7:00 p.m.

**Hampshire Village Hall
234 South State Street**

AGENDA

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Approval of Minutes – August 13, 2019
- E. New Business:
 - 1. Public Hearing regarding Petition of Wayne Hummer Trust No. LFT 1745 for Zoning Map Amendment, to amend the zoning classification of that property identified as that part of PIN: 01-11-100-014, located south of US Highway 20, at the end of Flannigan Road, in Hampshire Woods Business Park (to be identified on future Plat as Lot 1 in Hampshire Woods Business Park, Unit 2; and more particularly described in said Petition), from O-M Office Manufacturing Zoning District to M-2 General Industrial Zoning District.
 - 2. Public Hearing regarding Petition of Wayne Hummer Trust No. LFT 1745 for Zoning Map Amendment, to amend the zoning classification of Lot 9 in Hampshire Woods Business Park Unit 1, from O-M Office Manufacturing Zoning District to M-2 General Industrial Zoning District.
 - 3. Public Hearing regarding Petition for Amendment of Zoning Regulations to allow for dwelling units or lodging rooms may be permitted above the ground floor (i.e., on the 2nd or higher floor) on any parcel on which is located a permitted or allowed special use in the B-1 Central Business District, the B-2 Community Business Zoning District, and the B-3 Service Business Zoning District.
 - 4. Consideration of authorizing Chair to execute and deliver to Board of Trustees appropriate Findings of Fact and Recommendation regarding Items #1 - 4 above.
- F. Old Business:
 - 1. Consideration of the Petition for Text Amendment to modify §6-8-2(B) of the Village Code to allow beer gardens as a permitted use in the B-1 Central Business District.

2. Consideration of authorizing Chair to execute and deliver to Board of Trustees appropriate Findings of Fact and Recommendation regarding Items #1 under Old Business.

G Public Comment:

H. Announcements: Next meeting date – TBA

I. Adjournment

VILLAGE OF HAMPSHIRE ZONING BOARD OF APPEALS

MINUTES August 13, 2019

A meeting of the Hampshire Zoning Board of Appeals was called to order at 7:00 p.m.. Members present: Chair C. Christensen, Sec. J. Schaul , W. Albert, H. Hoffmann, and F. Frillman. Absent: None Also present were Village President J. Magnussen, and Village Attorney M. Schuster.

On motion made by H. Hoffman, seconded by W. Albert, to approve the minutes of the meeting of the Zoning Board of Appeals held on May 14, 2019, the vote to approve was unanimous. Motion passed.

Pledge of Allegiance was said by all in attendance.

1.) The first order of business was to convene a public hearing for the Petition filed by Wm Ryan Homes for a variation of the front yard requirements on certain property located at 430 Zachary Lane in the Village, to allow a lesser front yard setback equal to not less than 28' 6" in the R-2 Single Family Residential Zoning District.

The public hearing was opened at 7:03 p.m.

The Village Attorney recited that notice of the public hearing had been published in the Daily Herald newspaper on July 26, 2019, and that a Certificate of Publication was on file with the Village Clerk. Mr. Matt Clemens of Wm. Ryan Homes, Inc. appeared for Petitioner. Mr. Clemens recited that notice of the public hearing had been posted on the premises at least fifteen days prior to this date.. He summarized the Petition. The builder of the residential structure to be erected on the Subject Property did not accurately measure the front yard setback, and the foundation as poured would result in the front porch being only 28' 11½ " to 29' from the front property line. The application for variance includes a copy of a plot diagram showing the dimensions.

No members of the public commented on the Petition.

Members of the ZBA inquired only to confirm that it was the mistake of the contractor for the foundation that led to this error.

The public hearing was closed at 7:08 p.m..

On motion by H. Hoffman, seconded by W. Albert, to recommend approval of the Petition for Variance, to allow a front yard setback of not less than 28' 11" on the Subject Property located at 430 Zachary Lane, in the Village; Roll vote taken: Mr. Albert – Aye, Mr. Frillman – Aye, Mr. Schaul – Aye, -- Mr. Christensen – Aye, Mr. Hoffmann – Aye. 5 ayes – 0 nays. Motion passed.

2.) The second order of business was to convene the Public Hearing for the Petition for Text Amendment filed by the Village, to allow for beer gardens in the B-1 Central Business District

The public hearing was opened at 7:32 p.m.

The Village Attorney recited that notice of the public hearing had been published in the Daily Herald newspaper on July 26, 2019, and that a Certificate of Publication was on file with the Village Clerk. He summarized the Petition. He summarized the petition as follows: The Village Board of Trustees had mentioned the possibility of allowing beer gardens in the downtown business district; on business in particular, The Kave, had inquired about it. A petition was filed and public hearing set up to consider comments from the public and recommendation from the Zoning Board of Appeals. A beer garden would allow outdoor seating and consumption of alcoholic beverages in the outdoor area.

No members of the public commented on the Petition.

Members of the ZBA inquired / commented as follows:

1. What was the source of this proposed amendment? The petition was filed by the Village; and there had been some discussion that The Kave would want to implement a beer garden, if allowed.

2. What definitions / restrictions might apply? It was noted that there are restrictions for "outside seating" for a Class C license holder, which would be a restaurant serving alcohol beverages. Similar restrictions might be applied.

3. Is there a tavern anywhere that does not serve food but still utilizes outside seating? No one could think of such an establishment.

4. Could the Village provide more detail for this proposal? It was the consensus of the Board that a more complete package of ideas could be presented to the Zoning Board of Appeals.

The public hearing was closed at 7:30 p.m.

On motion by H. Hoffman, seconded by R. Frillman, to table to the next meeting consideration of the Petition for Text Amendment, to allow for beer gardens in the B-1 Central Business District, Roll vote was taken: Mr. Frillman – Aye, Mr. Schaul – Aye, -- Mr. Christensen – Aye, Mr. Hoffmann – Aye, Mr. Albert – Aye. 5 ayes – 0 nays. Motion passed.

The third order of business was to convene the Public Hearing for the Petition filed by the Village for Text Amendment to add certain home occupations to residential districts, to wit: home kitchen operations and cottage food operations. ..

The public hearing was opened at 7:32 p.m.

The Village Attorney recited that notice of the public hearing had been published in the Daily Herald newspaper on July 26, 2019, and that a Certificate of Publication was on file with the Village Clerk. He summarized the Petition for Text Amendment, explaining that the Illinois General Assembly had enacted the Illinois Food Handling Regulation Enforcement Act, which allowed local municipalities to adopt regulations allowing home kitchen operations. In addition, since the Act allowed cottage food operations, for sale of goods at farmer's markets, the Village ought to recognize such uses and put in place regulations that would allow for policing of violations. There are persons in the Village who are operating such uses at this time.

No members of the public commented on the Petition.

Questions from the members of the Zoning Board of Appeals included the following:

- 1. What could be the intensity of such use as a home occupation, whether it might become a nuisance?*
- 2. There should be no employees for any such use, if allowed.*
- 3. There is a money limit on annual sales from a home kitchen operation.*

The public hearing was closed at 7:41 p.m.

On motion by H. Hoffman, seconded by R. Frillman, to recommend approval of the Petition for Text Amendment to allow for home kitchen operations and cottage food operations in the Village, the vote was 5 aye and 0 nay. Motion passed.

On motion by H. Hoffman, seconded by W. Albert, to authorize the Chairman to execute and deliver to the Board of Trustees, on behalf of the Zoning Board of Appeals, written Findings of Fact and Recommendation consistent with these actions, the vote was 5 aye, 0 nay. Motion passed.

Having no public comment, nor any further business for this Board, on motion duly made and seconded, the meeting was adjourned unanimously at 7:45 p.m.

Respectfully submitted,

Joseph B Schaul Jr

Joseph Schaul
Secretary

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)*

- Annexation *
- Rezoning from OM District to M2 District
- Special Use Permit
- Variance
- Concept Plan
- Preliminary Plan
- Final Plan
- Site Plan Review

PART I. APPLICANT INFORMATION

APPLICANT (Please Print or Type)

Name: MONTEMAYOR CONSTRUCTION, INC., an Illinois corporation
Address: 1695 North Lancaster Road
South Elgin IL 60177
Phone: (847) 608 - 6000 Fax: (847) 608 - 9233

CONTACT PERSON (If different from Applicant)

Name: ATTORNEY JAMES M. BOLZ
Address: 895 West Main Street
West Dundee IL 60118
Phone: (847) 428 - 6107 Fax: (847) 428 - 6078

-- IS THE APPLICANT THE OWNER OF THE SUBJECT PROPERTY? YES [] NO [X]

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

-- IS THE APPLICANT AND/OR OWNER A TRUSTEE OR A BENEFICIARY OF A LAND TRUST? YES [] NO [X]

(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).

* Attach an original copy of a Petition for Annexation, 65 ILCS 5/7-8-1 et seq. to this Application.

Land Development Application

PART II. PROPERTY INFORMATION

ADDRESS OF PROPERTY: Parcel 1, and Lot 9, Hampshire Woods Business Park, Unit 1
Village of Hampshire

PARCEL INDEX NUMBER(S): 01-11-100-014 (Parcel 1), 01-11-127-006 (Lot 9)

AREA OF PARCEL (ACRES): Parcel 1, 10.1 acres, Lot 9, 4.1 acres

LEGAL DESCRIPTION: A legal description must be attached to this application.

The subject property is located in which FIRE PROTECTION DISTRICT? Hampshire

The subject property is located in which PARK DISTRICT? Hampshire

The subject property is located in which SCHOOL DISTRICT? District 300

The subject property is located in which LIBRARY DISTRICT? Ella Johnson

The subject property is located in which TOWNSHIP ROAD DISTRICT? Hampshire

CURRENT ZONING: OM - office and restricted manufacturing district

PROPOSED ZONING / VARIANCE: M2 - general industrial district

RECOMMENDED LAND USE: _____
(As described in the Hampshire Comprehensive Plan)

PROPOSED LAND USE: _____

NAME OF PROPOSED DEVELOPMENT: _____

LEGAL DESCRIPTIONS

Parcel One:

That part of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 11, Township 42 North, Range 6 East of the Third Principal Meridian, described in Document 2002K158784 (except that part taken for Hampshire Woods Business Park Unit 1, and except the North 158 feet of the West 220 feet deeded to the Village of Hampshire by Deed 98K023339 for a Pump House, and except lands lying Southeasterly of a Southeasterly line measured South 48 degrees, 56 minutes, 59 seconds for a distance of 441.42 feet, and except any portion lying in Flannigan Road), in Kane County, Illinois.

Lot 9 of Hampshire Woods Business Park, Unit 1:

Lot 9 in Hampshire Woods Business Park Unit 1, being a Subdivision of part of the East $\frac{1}{2}$ of the Northwest Quarter of Section 11, Township 42 North, Range 6, East of the Third Principal Meridian, in the Village of Hampshire, Kane County, Illinois.

THE ABOVE LAND TITLE SURVEY WAS PREPARED BY THE OFFICE OF ALTA/NSPS LAND TITLE SURVEYING, INC. UNDER CONTRACT WITH THE ILLINOIS STATE PLANNING AND DEVELOPMENT BOARD. THE SURVEY WAS COMPLETED ON JUNE 24, 2019.

ALTA/NSPS LAND TITLE SURVEY

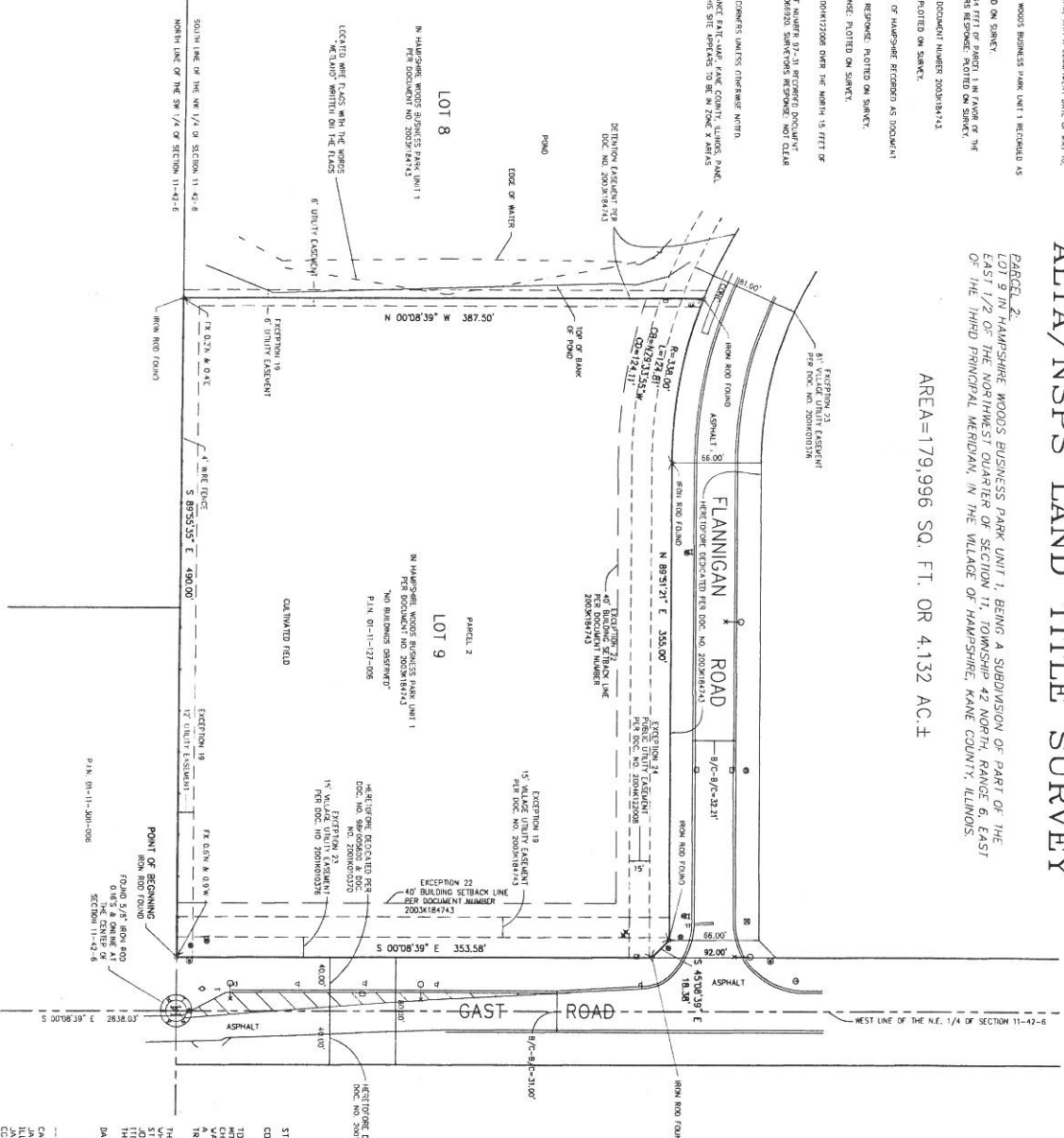
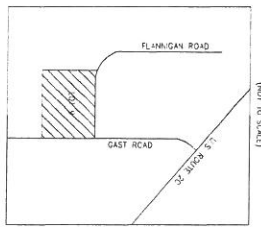
PARCEL 2,
 LOT 8 HAMPSHIRE WOODS BUSINESS PARK UNIT 1, BEING A SUBDIVISION OF PART OF THE
 EAST 1/2 OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 6, EAST
 OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF HAMPSHIRE, KANE COUNTY, ILLINOIS.

AREA=179,996 SQ. FT. OR 4.132 AC.±

- SCHEDULE E PART I: EXCEPTIONS**
- R 19. EXISTING PUBLIC UTILITY LOCATED BY THE PLAN OF HAMPSHIRE WOODS BUSINESS PARK UNIT 1, RECORDED AS DOCUMENT 20030184743, OVER THE FOLLOWING:
 - WEST 6 FEET AND SOUTH 12 FEET OF LOT 9, SANITATION RESPONSE, PLOTTED ON SURVEY 20030184743.
 - SOUTH 12 FEET AND OVER THE CENTERLINE 17 1/2 FEET, A 6164 FEET OF PARCEL 1 IN PART OF THE VILLAGE OF THE WEST 15 FEET OF THE EAST 30 FEET OF LOT 9, SANITATION RESPONSE, PLOTTED ON SURVEY 20030184743.
 - U 22. BUILDING LINE AS SHOWN ON THE PLAN OF SUBDIVISION RECORDED AS DOCUMENT NUMBER 20030184743 (AFFECTS THE NORTH AND EAST 40 FEET OF LOT 9), SANITATION RESPONSE, PLOTTED ON SURVEY 20030184743.
 - V 23. FROGHOLES CREATED BY GRASS FOR WILDLIFE BENEFITS TO THE VILLAGE OF HAMPSHIRE RECORDED AS DOCUMENT 20030184743 OVER THE FOLLOWING:
 - A 81 FOOT WIDE EXHIBIT OVER THE NORTH 15 FEET OF LOT 9, SANITATION RESPONSE, PLOTTED ON SURVEY 20030184743.
 - A 15 FOOT EXHIBIT OVER THE EAST 15 FEET OF LOT 9, SANITATION RESPONSE, PLOTTED ON SURVEY 20030184743.
 - W 24. GRANT OF EASEMENT FOR PUBLIC UTILITIES RECORDED AS DOCUMENT 20030184743 OVER THE NORTH 15 FEET OF LOT 9.
 - X 25. ALL GRANTORS OF ANY SPECIAL SERVITUDE HAVE A NUMBER 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

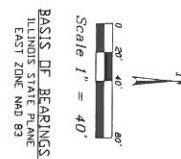
TABLE A: BOUNDS

- ITEM 1) 1/4" x 1/4" FOR BRASS WITH YELLOW CAPS WILL BE SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
- ITEM 2) 1/4" x 1/4" FOR BRASS WITH YELLOW CAPS WILL BE SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
- ITEM 3) BASED ON A SEALED INTERPRETATION OF THE (P)UD L1000 RESISTANCE FIRE-RATED, PAINT COUNTY, ILLINOIS, PANEL, DETERMINED TO BE OFFERED FOR CONSTRUCTION ON JUNE 2, 2015, THIS SITE APPEARS TO BE IN ZONE X AHEAD.
- ITEM 4) GROSS LAND AREA AS SHOWN HEREON SIMPLY.
- ITEM 5) NO BUILDINGS OBSERVED.
- ITEM 6) NO BUILDINGS OBSERVED.
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- ITEM 99) NO BUILDINGS OBSERVED.
- ITEM 100) NO BUILDINGS OBSERVED.



LEGEND

- D Overport Structure Square
- V Fire Hydrant
- C Flower Bed Section
- T Guy Wire
- Light Pole (Metal Arm)
- Light Pole (Wood Arm)
- Post Fence Corner
- Power Pole
- Sighting Stake
- Sign
- Stone Step Marker
- Temporary Marker
- Temporary Perimeter
- Meter Wire
- Meter Valve
- Meter Valve Vault



JACOBS & HEINER
 Surveyors
 1100 S. WASHINGTON ST., SUITE 200
 CHICAGO, ILLINOIS 60605
 PHONE: (773) 462-1100
 FAX: (773) 462-1101
 WWW.JACOBS-AND-HEINER.COM

UTILITY STATEMENT
 JULIE M. B. WILSON, REGISTERED SURVEYOR
 The underground utility shown have been located from a survey made on 6/24/2019. It is the responsibility of the contractor to verify the location and depth of all utilities before any excavation is made. The surveyor is not responsible for any damage to or destruction of any utility lines or for any injury to persons or property resulting from the use of the survey. The surveyor is not responsible for any damage to or destruction of any utility lines or for any injury to persons or property resulting from the use of the survey.

STATE OF ILLINOIS
 COUNTY OF DEPAUL
 I, JACOB J. CAHILL, Surveyor, do hereby certify that the above and foregoing is a true and correct copy of the original survey as filed in my office on June 24, 2019.

DATE: JUNE 24, 2019

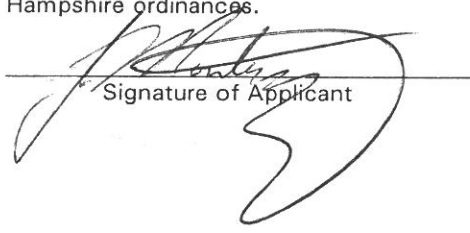
BY: JACOB J. CAHILL, Surveyor



PART III. REQUIRED DOCUMENTATION

- Two signed copies of the Land Development Application.
- Application Fee (Amount) \$ _____ and Deposit (Amount) \$ _____
- Proof of Ownership or Option (1 copy)
- Legal Description of Property /Plat of Survey (1 copy)
- List of property owners within 250 feet with parcel numbers (See enclosed sample letter)
- Preliminary Plan (___ folded full size copies)
- Landscape Plan: Preliminary OR Final (___ folded full size copies)
- Site Plan (6 copies)
- Architectural Elevations (2 full size, ___ folded reduced size copies)
- Final Plat of Subdivision (___ folded full size copies)
- Final Engineering Plans (___ copies signed and sealed)
- Petition for Annexation (2 copies)
- Annexation Agreement (6 signed copies)
- Plat of Annexation (6 copies)
- Fiscal Impact Study (If required by Staff- 6 copies)
- Traffic Impact Analysis (If required by Staff- 6 copies)
- Soil Conservation District Land Use Opinion (1 copy)
- Department of Conservation Endangered Species Report (1 copy)
- Army Corp. of Engineers Report on Wetlands (If required- 1 copy)

I, Joseph Montemayor, hereby apply for review and approval of this application and represent that the application and requirements thereof and supporting information have been completed in accordance with the Hampshire ordinances.



Signature of Applicant

August 27, 2019

Date

EXHIBIT A

Developer's Agreement with Respect To
Land Development Fees and Deposits

The undersigned Developer acknowledges that he/she has filed a LAND USE APPLICATION with the Village, requesting a zoning change of the real property from OM to M2

(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.

August 27, 2019
Date

[Signature]
Developer

RECEIPT OF INITIAL FEE DEPOSIT ACKNOWLEDGED BY VILLAGE CLERK

\$ 2,500.⁰⁰
Amount

[Signature]
VILLAGE CLERK

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

Village of Hampshire

HEARING SCHEDULE

VILLAGE REVIEW

The Village shall arrange a meeting of appropriate personnel and consultants as needed.

The Village Board of Trustees meets two times each month, generally on the 1st and 3rd Thursdays. The current schedule of meetings is available from the Village Clerk. .

PLAN COMMISSION SCHEDULE

The Plan Commission meets on the 2nd and 4th Mondays of the month at 7:00 p.m. at Village Hall. All **complete** Plan Commission submittals must be received not less than **10 days in advance** of the scheduled meeting. The Village reserves the right to reject incomplete submittals and reschedule Plan Commission items accordingly.

ZONING BOARD OF APPEALS SCHEDULE:

The Zoning Board of Appeals meets on the 2nd and 4th Tuesdays of the month at 7:00 p.m. at Village Hall. All complete submittals to the Zoning Board of Appeals must be received not less than **10 days in advance** of the scheduled meeting. The Village reserves the right to reject incomplete submittals and reschedule Plan Commission items accordingly.

VILLAGE OF HAMPSHIRE
AFFIDAVIT OF NOTIFICATION
FOR REZONING, OR SPECIAL USE PERMIT

To: Village of Hampshire
 234 S. State Street
 Hampshire, IL 60140

From: Montemayor Construction, Inc.
 1695 N. Lancaster Road

Date: South Elgin IL 60177

The undersigned, being sworn upon his oath, deposes and says that the list below includes the names and address of all owners of property adjacent or within two hundred-fifty (250') feet of the property referred to in the Petition to rezone from OM to M2, and further, that all persons owning property which is contiguous to the property described in said Petition have been notified of the intent of the Petitioner(s).

The property is located at Parcel 1, and Lot 9, Hampshire Woods Business Park, Unit 1, Hampshire, Illinois

A legal description of the property is attached hereto.
 See attached Exhibit A

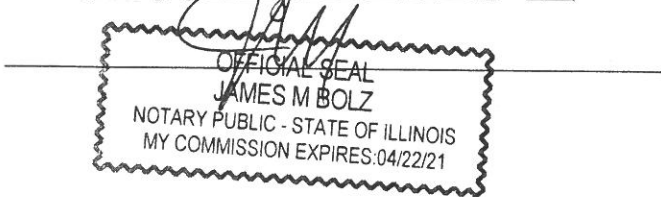
PROPERTY INDEX #	PROPERTY OWNER (See Attached Exhibit B)	ADDRESS
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

NOTIFY BY CERTIFIED MAIL- COPIES

Attached additional sheets, if necessary.
 (See attached Exhibit C)

By: Joseph Montemayor
 Joseph Montemayor

Subscribed and sworn before me this 27
 day of August 2019



LEGAL DESCRIPTIONS

Parcel One:

That part of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 11, Township 42 North, Range 6 East of the Third Principal Meridian, described in Document 2002K158784 (except that part taken for Hampshire Woods Business Park Unit 1, and except the North 158 feet of the West 220 feet deeded to the Village of Hampshire by Deed 98K023339 for a Pump House, and except lands lying Southeasterly of a Southeasterly line measured South 48 degrees, 56 minutes, 59 seconds for a distance of 441.42 feet, and except any portion lying in Flannigan Road), in Kane County, Illinois.

Lot 9 of Hampshire Woods Business Park, Unit 1:

Lot 9 in Hampshire Woods Business Park Unit 1, being a Subdivision of part of the East $\frac{1}{2}$ of the Northwest Quarter of Section 11, Township 42 North, Range 6, East of the Third Principal Meridian, in the Village of Hampshire, Kane County, Illinois.

Exhibit A

PROPERTY INDEX #	PROPERTY OWNER	ADDRESS
01-11-127-001	WAYNE HUMMER TRUST COMPANY	7239 W WILSON AVE HARWOOD HEIGHTS, IL, 60706
01-11-127-003	SYSCO ASIAN FOODS INC, BUCKHEAD ILLINOIS	200 FLANNIGAN RD HAMPSHIRE, IL 60140-8245
01-11-100-014	WAYNE HUMMER TRUST COMPANY	7239 W WILSON AVE HARWOOD HEIGHTS, IL, 60706
01-11-100-015	MINERALLAC COMPANY	100 EAST RD HAMPSHIRE, IL, 60140; 100 GAST RD HAMPSHIRE IL 60140
01-11-100-006	RALC HAMPSHIRE LLC	PO BOX 610 BATAVIA, IL, 60510; 1351 DAVEY DR BATAVIA, IL 60510
01-11-100-009	VILLAGE OF HAMPSHIRE	234 S STATE ST HAMPSHIRE, IL, 60140
01-11-180-001	HAMPSHIRE VENTURE TWO LLC	5060 RIVER RD SCHILLER PARK, IL 60176

Exhibit B

VILLAGE OF HAMPSHIRE

VILLAGE ORDINANCE & REQUIREMENTS

Proposed developments in the Village of Hampshire are reviewed based on the Village's development ordinances, including the following:

- Zoning Ordinance
- Subdivision Ordinance
- Stormwater Ordinance (per Kane County)
- Soil Erosion and Sediment Control Ordinance
- Floodplain Ordinance
- Developmental Impact Fees
- Transportation Policy

It is strongly recommended that, before preparing submittal requirements and plans, you and your professional consultants fully review these ordinances. Each of the above documents is available at the Village Hall.

VILLAGE FEES

A schedule of fees assessed by the Village for land development applications, and for various services related to land development (water meters, water and sewer connection fees, building permits, etc.) may be obtained from the Village Clerk and/or Building Department.

ESCROW DEPOSIT

The Village requires that any applicant for development review deposit with the Finance Director a certain sum to establish a draw account, from which sums necessary to meet the applicant's obligation to reimburse the Village for actual fees and expenses incurred by the Village for engineering, legal, planning, or other consultant services related to review of the application. Consult the Village Clerk concerning the current schedule of the amount due for such deposit.

MONTEMAYOR CONSTRUCTION, INC.
1695 N LANCASTER RD
SOUTH ELGIN, IL 60177

ST. CHARLES BANK
70-2665/719

28418

Aug 26, 2019

PAY TO THE
ORDER OF

Village of Hampshire

\$2500.-

Two thousand five hundred & no/100

DOLLARS

VOID AFTER 90 DAYS

MEMO

VALID VALI
VALID VALI
VALID VALI
VALID VALI

Joseph W. Montemayor
AUTHORIZED SIGNATURE

⑈028418⑈ ⑆071926650⑆ ⑈0027720907⑈

MONTEMAYOR CONSTRUCTION, INC.

28418

AUTHORIZATION FOR REZONING APPLICATION

Village of Hampshire
234 S. State Street
P.O. Box 457
Hampshire IL 60140-0457

To Whom it May Concern:

The undersigned is a representative of the Owner of the following described properties in Hampshire, Kane County, Illinois:

Parcel 1, and Lot 9 of Hampshire Woods Business Park Unit 1, being a Subdivision of part of the East ½ of the Northwest ¼ of Section 11, Township 42 North, Range 6, East of the Third Principal Meridian, in the Village of Hampshire, Kane County, Illinois.

Please accept this letter as the Owner's consent to the Rezoning Petition filed by Montemayor Construction, Inc. to re-zone the aforementioned properties from OM to M2.

Dated: 8-27, 2019

Sincerely,



Tony Flannigan
c/o Flannigan Venture Group

Wayne Hummer Trust Company as trustee under the provisions of a certain Trust Agreement Dated November 18, 2002, known as Trust Number LFT1745

LEGAL DESCRIPTIONS

Parcel One:

That part of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 11, Township 42 North, Range 6 East of the Third Principal Meridian, described in Document 2002K158784 (except that part taken for Hampshire Woods Business Park Unit 1, and except the North 158 feet of the West 220 feet deeded to the Village of Hampshire by Deed 98K023339 for a Pump House, and except lands lying Southeasterly of a Southeasterly line measured South 48 degrees, 56 minutes, 59 seconds for a distance of 441.42 feet, and except any portion lying in Flannigan Road), in Kane County, Illinois.

Lot 9 of Hampshire Woods Business Park, Unit 1:

Lot 9 in Hampshire Woods Business Park Unit 1, being a Subdivision of part of the East $\frac{1}{2}$ of the Northwest Quarter of Section 11, Township 42 North, Range 6, East of the Third Principal Meridian, in the Village of Hampshire, Kane County, Illinois.

PROPERTY INDEX #	PROPERTY OWNER	ADDRESS
7. 01-11-127-001	WAYNE HUMMER TRUST COMPANY	7239 W WILSON AVE HARWOOD HEIGHTS, IL, 60706 ✓
J. 01-11-127-003	SYSO ASIAN FOODS INC, BUCKHEAD ILLINOIS	200 FLANNIGAN RD HAMPSHIRE, IL 60140-8245 ✓
B. 01-11-100-014	WAYNE HUMMER TRUST COMPANY	7239 W WILSON AVE HARWOOD HEIGHTS, IL, 60706 ✓
A. 01-11-100-015	MINERALLAC COMPANY	100 EAST RD HAMPSHIRE, IL, 60140; 100 GAST RD HAMPSHIRE IL 60140 ✓
S. 01-11-100-006	RALC HAMPSHIRE LLC	PO BOX 610 BATAVIA, IL, 60510; ✓ 1351 DAVEY DR BATAVIA, IL 60510 ✓
G. 01-11-100-009	VILLAGE OF HAMPSHIRE	234 S STATE ST HAMPSHIRE, IL, 60140 ✓
A. 01-11-180-001	HAMPSHIRE VENTURE TWO LLC	5060 RIVER RD SCHILLER PARK, IL 60176 ✓

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 01-11-127-001
 WAYNE HUMMER TR CO.
 7239 W. WILSON AVENUE
 HARWOOD HTS IL 60706



9590 9402 1190 5246 6521 71

Article Number (Transfer from carrier label)

7015 1520 0001 0447 7668

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *[Signature]* Agent Addressee

B. Received by (Printed Name) *[Signature]* C. Date of Delivery *7/13/17*

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 01-11-100-014
 WAYNE HUMMER TR CO.
 7239 W. WILSON AVE
 HARWOOD HEIGHTS IL 60706



9590 9402 1190 5246 6521 57

2. Article Number (Transfer from service label)

7015 1520 0001 0447 7682

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *[Signature]* Agent Addressee

B. Received by (Printed Name) *[Signature]* C. Date of Delivery *7/13/17*

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 01-11-100-015
 MINERALLAC COMPANY
 100 EAST ROAD
 HAMPSHIRE IL 60140



9590 9402 1190 5246 6521 40

2. Article Number (Transfer from service label)

7015 1520 0001 0447 7699

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *[Signature]* Agent Addressee

B. Received by (Printed Name) *[Signature]* C. Date of Delivery *9-3-17*

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 01-11-180-001
 HAMPSHIRE VENTURE TWO
 5060 RIVER ROAD LLC
 SCHILLER PARK IL 60176



9590 9402 1190 5246 6521 02

2. Article Number (Transfer from service label)

7015 1520 0001 0447 7813

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *[Signature]* Agent Addressee

B. Received by (Printed Name) *[Signature]* C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	