

**VILLAGE OF HAMPSHIRE
ZONING BOARD OF APPEALS**

IN RE:

PETITION OF LOVES TRAVEL STOPS & COUNTRY STORES FOR VARIATION OF THE REQUIREMENTS OF THE VILLAGE’S COMMUNITY GRAPHICS REGULATIONS TO ALLOW FOR VARIATIONS OF LOCATION, SIZE, NUMBER AND HEIGHT OF COMMUNITY GRAPHICS ON THE PROPERTY OWNED BY LOVES TRAVEL STOPS & COUNTRY STORES AT US HIGHWAY 20 AND I-90 IN THE VILLAGE.

FINDINGS OF FACT

The Petition of Loves Travel Stops & Country Stores, Inc. for certain variations of the Village’s Community Graphics Regulations governing signs, to allow for signs greater in size, number and height on certain property at the northwest corner of US Highway 20 and I-90 (off-ramp) in the Village, having been duly filed with the Village Clerk, the Zoning Board of Appeals having considered the application, the Zoning Board of Appeals FINDS as follows:

1. A Petition for variation of the Community Graphics Regulations governing signage proposed for the Loves Travel Stops and Country Stores property at the northwest corner of US Highway 20 and I-90 (off-ramp) was filed for the following described property in the Village (the “Subject Property”): See attached Exhibit “A.”

2. The Petition specifically requested the following as general variations of the Village’s Community Graphics Regulations:

- | | | |
|----|---|---|
| A. | Wall Signs | Size / Number |
| | <ul style="list-style-type: none">• Travel Center Building• Tire Care Building• Gas/Diesel Canopies | <ul style="list-style-type: none">4 sides (all sides) of building2 sides of buildingInlaid decals / 23.39 sq. ft. – 2 sides of canopy |
| B. | Free-standing Signs | Height / Size / Number |
| | <ul style="list-style-type: none">• Cat Scale / alignment guide• Hi-Rise pole sign• Roadway sign• Directional Sign | <ul style="list-style-type: none">One additional sign (3rd sign on premises)100’ in height1003.33 square feet in size25’ height133.33 square feet in size8’ height32 square feet in size |

3. The matter was taken under consideration by the Zoning Board of Appeals pursuant to Section 6-12-14(B) of the Village Code.
4. Mr. Chad Bruner of Loves Travel Stops appeared on behalf of the Petitioner at the meeting and made a presentation to the Board members, summarizing the Petition and the variations requested.
5. The Zoning Board of Appeals considered the following factors, set out in the Village of Hampshire Municipal Code, Section 6-12-14(B), in regard to the Petition for variance:
 - a. Whether the Petitioner demonstrated any unique physical surroundings, shape or topographical conditions of the specific property which would bring a particular hardship on the owner; or
 - b. Whether the Petitioner demonstrated that no other reasonable alternatives exist which would conform to the regulations of Article XII of the Village Code; and
 - c. Whether in either case, the public good realized would be greater than that achieved should the strict letter of the regulations otherwise be carried out.
6. Conditions to be applied to the requested variations, if any: None.

ACTION(S)

On motion by H. Hoffman, seconded by W. Albert, to recommend approval of the Petition for General Variation of the regulations of Chapter 6: Zoning, Article XII: Community Graphics of the Village Code, for the property described in the Petition, as described in the Petition filed by Effective Images, Inc. on behalf of Loves Travel Stops & Country Store, Inc., the vote of the Zoning Board of Appeals was 7 aye_– 0 nay, as follows:

	<u>Aye</u>	<u>Nay</u>
C. Christensen	<u>x</u>	_____
W. Albert	<u>x</u>	_____
N. Collins	<u>x</u>	_____
R. Frillman	<u>x</u>	_____
H. Hoffman	<u>x</u>	_____
D. Rumoro	<u>x</u>	_____
J. Schaul	<u>x</u>	_____

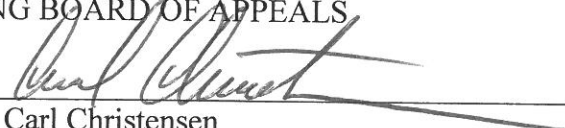
It is accordingly the recommendation of the Zoning Board of Appeals that the Petition for General Variation of the Community Graphics Regulations be X approved / denied.

Dated: April 11, 2017

Respectfully submitted,

VILLAGE OF HAMPSHIRE
ZONING BOARD OF APPEALS

By: _____



Carl Christensen
Chair

EXHIBIT "A"

LEGAL DESCRIPTIONS OF PROPERTY

i) In the Highway Commercial Zoning District, the following legally described portion of the Subject Property (a portion of the Love's Property):

Situate in the West ½ of the Southeast ¼ of Section 3, lying North of the North Line of the Right Of Way of the Northern Illinois Toll Highway, in the Township of Hampshire, Kane County, Illinois. Beginning at a found Right-Of-Way monument of Toll Road I-90, thence along a line the following eight (8) courses: South 21°54'31" West, a distance of 848.58 feet to a point, South 89°58'14" West, a distance of 443.75 feet to a point, South 00°13'20" East, a distance of 265.41 feet to a point, North 84°06'18" West, a distance of 268.83 feet to a point, North 68°46'27" West, a distance of 33.55 feet to a point, North 00°00'00" West, a distance of 1545.75 feet to a point, North 89°58'15" East, a distance of 776.18 feet to a point, South 37°03'24" East, a distance of 398.24 feet to a point, Thence South 11°00'49" East, a distance of 219.20 feet to the Point of Beginning.

Containing 29.63 Acres of land and being subject to all other easements, encumbrances, agreements, reservations, restrictions and interest that may affect the easement as described. North and Bearing system based on the North Line of the Northwest ¼ of SEC.3-42-6.

PINs: 01-03-100-005, 01-03-200-008, 01-03-400-008
Common Address: SW Corner of US Highway 20 and I-90 Ramps,
Hampshire, Illinois.

ii) In the Highway Commercial Zoning District, the following legally described portion of the Subject Property (the Roadway Parcel):

THAT PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 42 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A IRON PIPE FOUND AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION PER DOCUMENT NUMBER 95K018749; THENCE NORTH 00 DEGREES 37 MINUTES 09 SECONDS WEST ALONG THE EAST LINE THE SAID NORTHEAST QUARTER, A DISTANCE OF 1338.40 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 22 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER, A DISTANCE OF 1407.96 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 55 MINUTES 22 SECONDS WEST ALONG SAID LINE, 110.12 FEET; THENCE NORTH 44 DEGREES 59 MINUTES 10 SECONDS EAST, 42.71

FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 170.60 FEET; THENCE NORTHEASTERLY 288.02 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 333.00 FEET (CHORD BEARS NORTH 24 DEGREES 46 MINUTES 41 SECONDS EAST, 279.12 FEET); THENCE NORTH 49 DEGREES 33 MINUTES 22 SECONDS EAST, 82.97 FEET; THENCE NORTH 08 DEGREES 41 MINUTES 58 SECONDS EAST, 86.77 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF ROUTE 20 PER DOCUMENT NUMBER 153188; THENCE SOUTH 40 DEGREES 26 MINUTES 24 SECONDS EAST ALONG SAID LINE, 146.53 FEET; THENCE SOUTH 70 DEGREES 34 MINUTES 18 SECONDS WEST, 66.28 FEET; THENCE SOUTH 49 DEGREES 33 MINUTES 22 SECONDS WEST, 86.71 FEET; THENCE SOUTHWESTERLY 230.93 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 267.00 FEET (CHORD BEARS SOUTH 24 DEGREES 46 MINUTES 41 SECONDS WEST, 223.80 FEET); THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 177.89 FEET; THENCE SOUTH 31 DEGREES 27 MINUTES 05 SECONDS EAST, 26.69 FEET TO THE POINT OF BEGINNING, CONTAINING 43,392 SQUARE FEET, IN KANE COUNTY, ILLINOIS.

PIN: A portion of 01-03-200-017
Common Address: SW Corner of US Highway 20 and I-90 Ramps,
Hampshire, Illinois.

iii) In the Highway Commercial Zoning District, the following legally described portion of the Subject Property (the Triangle Parcel):

THAT PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 42 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A IRON PIPE FOUND AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION PER DOCUMENT NUMBER 95K018749; THENCE NORTH 00 DEGREES 37 MINUTES 09 SECONDS WEST ALONG THE EAST LINE THE SAID NORTHEAST QUARTER, A DISTANCE OF 1338.40 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 22 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER, A DISTANCE OF 842.59 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF ROUTE 20 PER DOCUMENT NUMBER 827853 ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 55 MINUTES 22 SECONDS WEST ALONG SAID LINE, 565.37 FEET; THENCE NORTH 31 DEGREES 27 MINUTES 05 SECONDS WEST, 26.69 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 177.89 FEET; THENCE NORTHEASTERLY 230.93 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 267.00 FEET (CHORD BEARS NORTH 24

DEGREES 46 MINUTES 41 SECONDS EAST, 223.80 FEET); THENCE NORTH 49 DEGREES 33 MINUTES 22 SECONDS EAST, 86.71 FEET; THENCE NORTH 70 DEGREES 34 MINUTES 18 SECONDS EAST, 66.28 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF ROUTE 20 PER DOCUMENT NUMBER 153188; THENCE SOUTH 40 DEGREES 26 MINUTES 24 SECONDS EAST ALONG SAID LINE, 26.17 FEET; THENCE SOUTH 49 DEGREES 33 MINUTES 36 SECONDS WEST, 20.00 FEET TO THE SOUTHWESTERLY LINE OF ROUTE 20 PER DOCUMENT NUMBER 827853; THENCE SOUTH 40 DEGREES 26 MINUTES 24 SECONDS EAST ALONG SAID LINE, 75.00 FEET; THENCE SOUTH 38 DEGREES 04 MINUTES 18 SECONDS EAST ALONG SAID LINE, 497.21 FEET TO THE POINT OF BEGINNING, CONTAINING 171,418 SQUARE FEET, IN KANE COUNTY, ILLINOIS.

PIN: A portion of 01-03-200-017
Common Address: SW Corner of US Highway 20 and I-90 Ramps,
Hampshire, Illinois.

iv) In the M-1 Restricted Industrial Zoning District, the following legally described portion of the Subject Property (a portion of the Love's Property):

Situate in the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 3, lying North of the North Line of the Right Of Way of the Northern Illinois Toll Highway, in the Township of Hampshire, Kane County, Illinois. Beginning at a found iron rod at the intersection of northerly Right-Of-Way line of Toll Road I-90, and the westerly line of Section 3; Thence along a line the following four (4) courses: North $00^{\circ}16'56''$ West, a distance of 82.85 feet to a point, North $89^{\circ}58'15''$ East, a distance of 3669.85 feet to a point, South $00^{\circ}00'00''$ East, a distance of 1545.75 feet to a point, North $68^{\circ}46'27''$ West, a distance of 622.12 feet to a point, Thence North $68^{\circ}11'56''$ West, a distance of 3327.51 feet to the Point of Beginning.

Containing 68.83 Acres of land and being subject to all other easements, encumbrances, agreements, reservations, restrictions and interest that may affect the easement as described. North and Bearing system based on the North Line of the Northwest $\frac{1}{4}$ of SEC.3-42-6.

PINs: 01-03-100-005, 01-03-200-008, 01-03-400-008
Common Address: SW Corner of US Highway 20 and I-90 Ramps,
Hampshire, Illinois

HAMPSHIRE ZONING BOARD OF APPEALS

Public Signin Sheet

NAME	ADDRESS	PHONE#	CELL #	EMAIL ADDRESS
MICHAEL ARONATO	760 ELM	847-682-5119		OTAWARA 43@ATT.NET
CHAD BRUNER	12604 N PENN, ONE, OH	408-203-5500		CHAD.BRUNER@GLOUCESTER.MA
White Jay	222 Old Mill Lane	847-802-9221		MReid@hampshireIL.org

Meeting of 4-11-17

Secretary - Joe Schaul

HAMPSHIRE ZONING BOARD OF APPEALS

Sign in to Testify or Address the ZBA

NAME	ADDRESS	PHONE#	CELL #	EMAIL ADDRESS
CLAYD BRUNK	10601 N Penn; DKC, OK	405-233-5500		CLAYD.BRUNK@L2065.COM

Date 4-11-17

Joe Schenk

Verified by ZBA Secretary

VILLAGE OF HAMPSHIRE ZONING BOARD OF APPEALS

Tuesday, April 11, 2017

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
- E. New Business:
 - 1. Consideration and recommendation regarding Application filed by Effective Images, Inc. for general variation of the Village Community Graphics Regulations, pursuant to § 6-12-14(B) of the Village Code, for proposed signage of Love's Travel Stops & Country Stores, Inc. facility to be located at I-90 / US Highway 20, Exit 42 (NW quadrant).
- F. Old Business:
- G. Public Comment:
- H. Announcements: Next meeting date – April 25, 2017
- I. Adjournment