



Village of Hampshire  
Planning & Zoning Commission Meeting  
Monday, January 13, 2025 - 7:00 PM  
Hampshire Village Hall  
234 South State Street, Hampshire, IL 60140

## AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. A Motion to Approve the Meeting Minutes from November 25, 2024
5. Public Comments
6. New Business
  - a. Case#: PZC-25-01 - Public Hearing  
Address: 574 N. State St.  
Petitioner & Owner: Felipe Marquez  
Request: Variance to Sec. 6-3-10-D-1 of the Hampshire Zoning Ordinance to permit a fence in the front-yard, whereas fences are not permitted in the front-yard.  
Action: Motion to make a recommendation regarding Case# PZC-25-01
7. Old Business
8. Announcements
9. Adjournment

Public Comments: The Commission will allow each person who is properly registered to speak a maximum time of five (5) minutes, provided the Chairman may reduce the maximum time to three (3) minutes before public comments begin if more than five (5) persons have registered to speak. Public comment is meant to allow for expression of opinion on, or for inquiry regarding, public affairs but is not meant for debate with the Board or its members. Good order and proper decorum shall always be maintained.

Recording: Please note that all meetings held by videoconference may be recorded, and all recordings will be made public. While State Law does not require 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 Meeting  
Monday, November 25, 2024 - 7:00 PM  
Hampshire Village Hall  
234 South State Street, Hampshire, IL 60140

## MEETING MINUTES

### 1. **Call to Order**

The Village of Hampshire Planning & Zoning Commission was called to order by Chairwoman Klein at 7:00 P.M.

### 2. **Pledge of Allegiance**

### 3. **Roll Call**

Present: Commissioners Grace Duchaj, Sharon Egger, Ron Ross, and Chairwoman Christine Klein

Absent: Commissioner Rick Frillman, Scott McBride, and Bill Rossetti

Others Present: Mo Khan, Assistant Village Manager for Development and Erin Kiernat, Village Attorney

### 4. **A Motion to Approve the Meeting Minutes from October 28, 2024**

Motion: Commissioner Egger

Second: Commissioner Ross

Ayes: Commissioners Duchaj, Egger, Ross, and Chairwoman Klein

Nays: None

Motion Approved

### 5. **Public Comments**

Village President Reid provided public comments introducing Chairwoman Klein and thanking the Planning & Zoning Commission for their work.

### 6. **New Business**

#### a. **Case# PZC-24-09 - Public Hearing**

**Address: Southeast Corner of U.S. Route 20 & Interstate 90 (PIN: 01-02-300-010; 01-02-400-009)**

**Petitioner & Owner: Z Investments, LLC**

**Request: Map Amendment (Rezoning) from E-1, Estate, District to M-2, General Industrial, District**

**Action: Motion to make a recommendation regarding Case# PZC-24-09**

Chairwoman Klein requested a motion to open the public hearing.

Motion: Commissioner Duchaj

Second: Commissioner Egger

Ayes: Commissioners Duchaj, Egger, Ross, and Chairwoman Klein

Nays: None

Motion Approved

Mr. Khan provided a summary of the request and staff's agenda supplement.

Mr. Scott Richmond, Attorney for the Petitioner, spoke regarding the request.

No public comments were provided prior to or during the public hearing.

Motion to Recommend Approval of Case# PZC-24-09

Chairwoman Klein requested a motion to close the public hearing.

Motion: Commissioner Egger

Second: Commissioner Ross

Ayes: Commissioners Duchaj, Egger, Ross, and Chairwoman Klein

Nays: None

Motion Approved

Chairwoman Klein requested a motion to approve Case#: PZC-24-09

Motion: Commissioner Duchaj

Second: Commissioner Egger

Ayes: Commissioners Duchaj, Egger, Ross, and Chairwoman Klein

Nays: None

Motion Approved

b. **Case# PZC-24-11 - Public Hearing**

**Address: 167 Flannigan Road**

**Petitioner: Pavel Korchagin**

**Owner: Hampshire Real Estates, LLC**

**Requests:**

**1. Text Amendment to Sec. 6-9-3-C of the Hampshire Zoning Ordinance to permit Automobile Vehicle Sales Lot in the M-2, General Industrial, District as a Special Use**

**2. Special Use per Sec. 6-9-3-C to permit an Automobile Vehicle Sales Lot**

**Action: Motion to make a recommendation regarding Case# PZC-24-11**

Chairwoman Klein requested a motion to open the public hearing.

Motion: Commissioner Duchaj

Second: Commissioner Egger

Ayes: Commissioners Duchaj, Egger, Ross, and Chairwoman Klein

Nays: None

Motion Approved

Mr. Khan provided a summary of the request and staff's agenda supplement.

The Commission had questions on what would be allowed if the text amendment is approved.

Mr. Khan stated that the reason text amendment is to allow it as a special use is so that the Planning & Zoning Commission and Village Board have the option to review each request case-by-case. Mr. Khan clarified that the proposed text amendment would allow for the sales of passenger vehicle by special use.

The Commission generally agreed that the proposed special use should be restricted to tractor trailer sales.

Mr. Cory Kay, the Petitioner's representative, clarified that the terminology used for the vehicles is tractor trailer.

Chairwoman Klein requested a motion to close the public hearing.

Motion: Commissioner Egger  
Second: Commissioner Duchaj  
Ayes: Commissioners Duchaj, Egger, Ross, and Chairwoman Klein  
Nays: None

Motion Approved

Chairwoman Klein requested a motion to approve Case#: PZC-24-11 for a Text Amendment to Sec. 6-9-3-C of the Hampshire Zoning Ordinance to permit Automobile Vehicle Sales Lot in the M-2, General Industrial, District as a Special Use.

Motion: Commissioner Egger  
Second: Commissioner Duchaj  
Ayes: Commissioners Duchaj, Egger, Ross, and Chairwoman Klein  
Nays: None

Motion Approved

Chairwoman Klein requested a motion to approve Case# PZC-24-11 for a Special Use per Sec. 6-9-3-C to permit an Automobile Sales Lot, exclusively for tractor trailers, for 167 Flannigan.

Motion: Commissioner Egger  
Second: Commissioner Ross  
Ayes: Commissioners Duchaj, Egger, Ross, and Chairwoman Klein  
Nays: None

Motion Approved

7. **Old Business**

None.

8. **Announcements**

Mr. Khan updated the Commission on final action by the Village Board on recent cases.

9. **Adjournment**

Motion to Adjourn

Motion: Commissioner Egger

Second: Commissioner Ross

Ayes: Commissioners Duchaj, Egger, Ross, and Chairwoman Klein

Nays: None

Motion Approved

Adjourned at 7:30 P.M.

Submitted: December 9, 2024

Approved:



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

## AGENDA SUPPLEMENT

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**TO: Planning & Zoning Commission**  
**FROM: Mo Khan, Assistant Village Manager for Development**  
**FOR: Planning & Zoning Commission Meeting on January 13, 2025**  
**RE: PZC-25-01 - 574 N. State St. - Variance**

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**PROPOSAL:** Felipe Marquez (Petitioner & Owner) is requesting the approval of the following to construct a fence in the front-yard:

1. Variance to Sec. 6-3-10-D-1 of the Hampshire Zoning Ordinance to permit a fence in the front-yard, whereas fences are not permitted in the front-yard.





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**BACKGROUND:** The petitioner received a permit from the Village on 11/13/2024 to construct a fence primarily around the perimeter of the property with a condition that the fence is not installed in the front-yard.

On 11/19/2024, the petitioner passed the post-hole inspection, which included post-holes located in the front-yard.

On 12/2/2024, the Village received a complaint about the fence posts being installed in the front-yard.

Upon review of the permit, the fence permit was issued in error since the plat of survey showing the proposed location of the fence clearly indicated a fence to be in the front-yard. And the inspection was passed in error as the permit conditioned that the fence is not located in the front-yard.

**ANALYSIS:** The subject property is approximately 0.88 acres (38,333 sq. ft.) and is located approximately 273 ft. south of the intersection of Allen Rd. and State St. The subject property is improved with an approximately 3,354 sq. ft. two-story single-family residence with an approximately 864 sq. ft. detached garage.

The subject property is zoned F-1, Restricted Farming District.

The following are the adjacent property zoning and uses:

North: F-1, Restricted Farming District - Residential

South: PRD, Planned Residential District - Vacant/Undeveloped

East: M-1, Restricted Industrial District - Vacant/Undeveloped

West: PRD, Planned Residential District - Park/Open Field

Zoning Bulk Standards: The zoning bulk standards for the F-1 were not reviewed as there is no building or accessory structure being constructed.

**REQUIRED FINDINGS OF FACT:** The following are the required findings of fact for a Variance per Sec. 7-5-7-A-2:

1. Because of the particular physical surroundings, shape or topography conditions of the specific property involved, a particular and extraordinary hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations was carried out.
2. The conditions upon which the request for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to





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other property, and have not been created by any person having an interest in the property.

3. The purpose of the variation is not based exclusively upon a desire to make more money out of the property.
4. The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.

**PROPOSED FINDINGS OF FACT:** The proposed findings of fact shall be as follows:

1. The subject property does not have unique physical surroundings, shape or topography that prevents the fence from being located outside the front-yard.
2. The request is being made due to an error by the Village to allow for the fence to be located in the front-yard. This condition was not created by the petitioner or any other individual having an interest in the property.
3. The proposed variance will not result in increased property value or result in the petitioner making more money than if the fence was placed outside the front-yard.
4. The proposed variance will not be detrimental to the public safety or general welfare as a fence is a common improvement for residential properties.

**PUBLIC COMMENTS:** Village staff has not received any public comments regarding this petition as of January 8, 2025.

**STAFF RECOMMENDED CONDITIONS OF APPROVAL:** Village staff is not recommending any conditions of approval.

**RECOMMENDED MOTION:**

I move to accept and adopt Staff's Findings of Fact included in the Agenda Supplement and recommend approval of PZC-25-01 for a variance to Sec. Sec. 6-3-10-D-1 of the Hampshire Zoning Ordinance to permit a fence in the front-yard, whereas fences are not permitted in the front-yard.

**DOCUMENTS ATTACHED:**

1. Land Use Application
2. Plat of Survey/Site Plan



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

### Land Use Application

Date: 12/2/2024

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\*
- Subdivision
- Other Site Plan: \_\_\_\_\_

\*requires a 15-30 day public notice period

### APPLICANT INFORMATION

APPLICANT (print or type)

Name: Felipe Marquez Email: Marquezf1997@gmail.com

Address: 574 N State St Phone: 708-870-9117

CONTACT PERSON (if different from applicant)

Name: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

IS THE APPLICANT THE OWNER OF THE SUBJECT PROPERTY?

YES  NO

If the applicant is not the owner of the subject property, a written and signed statement from the owner authorizing the applicant to file must be attached to this application.

IS THE OWNER A TRUSTEE/BENEFICIARY OF A LAND TRUST?

YES  NO

If the owner of the subject property is a trustee of a land trust or beneficiaries 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 attached hereto.

**PROPERTY INFORMATION**

Name of Development (if any): \_\_\_\_\_

Address: 574 N State St Hampshire, IL 60140

Parcel Number(s): 01-21-200-002

Total Area (acres): 1

Legal Description: must be attached to this application

Fire Protection District: \_\_\_\_\_

School District: \_\_\_\_\_

Library District: \_\_\_\_\_

Park District: \_\_\_\_\_

Township: \_\_\_\_\_

Current Zoning District: F1

Current Use:  
Residence

Proposed Zoning/Variance/Use:

keep currently installed fence which is 25 feet away from curb and 30 feet in front of the house and around the rest of the property

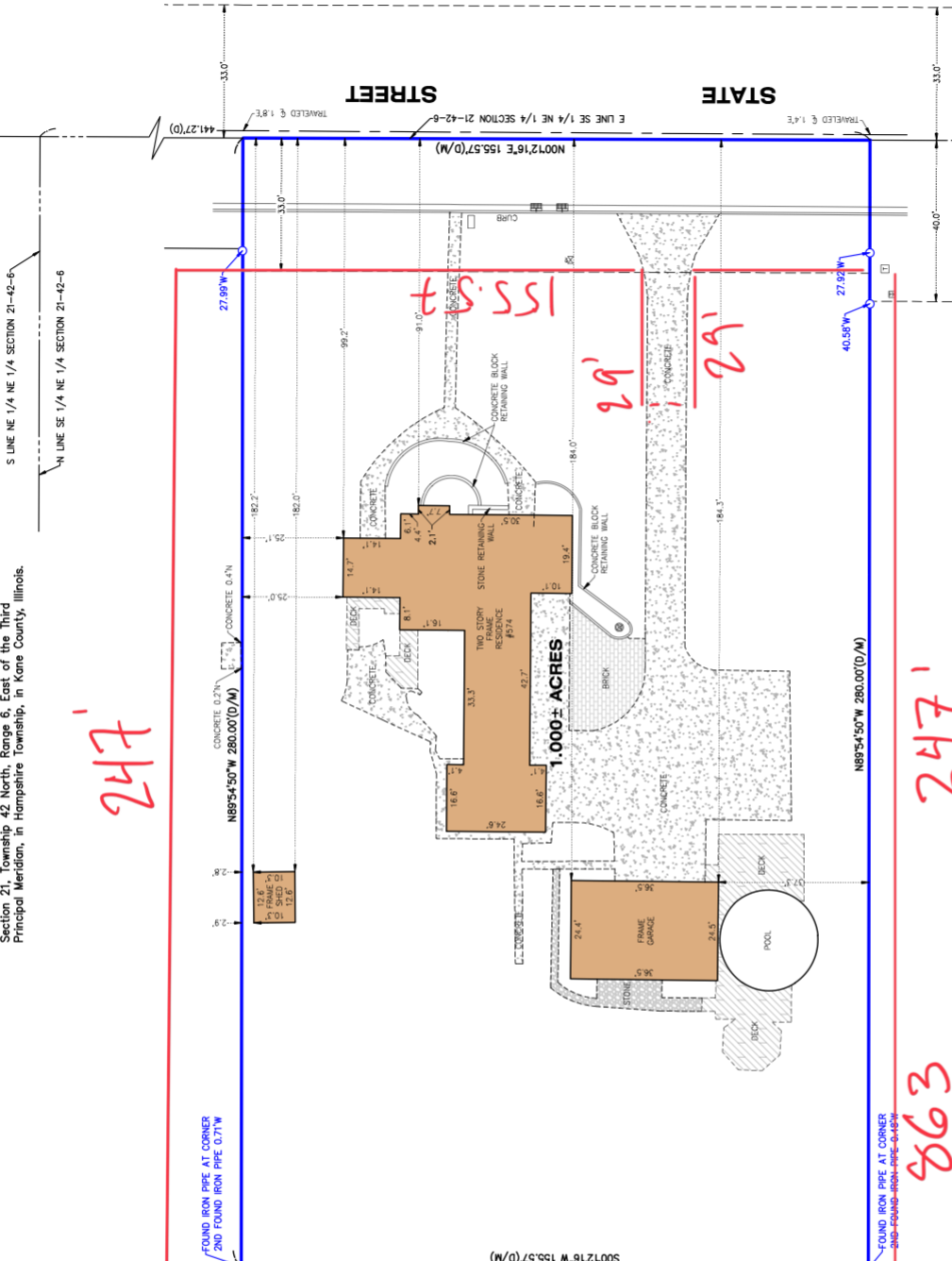
Reason/ Explanation for Zoning/ Variance/ Use:

I went to village hall and inquired about building a fence. I was referred to apply online. No further information was provided in regards to codes nor regulations other than the recommendation to have ground scanned for safety. Application for fence permit was submitted on 10/24/24 with project plan provided directly on property plot survey. Both plan and application noted intention of fencing entire property, within 6ft away from curb. Application was approved on 10/25/24 permitting start of project and first inspection after holes were dug. Signed permit shows approval of fencing within 6ft away from curb. Holes were dug, front yard holes dug 25ft away from curb, then inspected on 11/19/2024 and approved. The land is currently zoned as Restricted Farming (Interested in potentially raising animals in future and therefore would like to fence as much of property as possible). 2 weeks after approval of holes is when it was brought to our attention that this may have been wrongfully approved. Material was already purchased and project was already in process due to approval provided. If we would have been informed of restrictions, we would have adjusted our project plan and permit application accordingly to comply. Holes already are cemented, new material would need to be purchased, and machinery would need to be rented a second time to move holes which was not in our budget.

# PLAT OF SURVEY

The South 155.57 feet of the North 441.27 feet of the East 280.0 feet of the South West Corner of the North East Quarter of Section 21, Township 42 North, Range 6, East of the Third Principal Meridian, in Hampshire Township, in Kane County, Illinois.

**Vanderstappen Land Surveying, Inc.**  
 1316 N. Madison St.  
 Woodstock, Illinois 60098  
 Ph. 815-337-8310 fax 815-337-8314  
 Always faithful to the Property line



STATE OF ILLINOIS )  
 COUNTY OF McHENRY ) S.S.

APR 18 2024  
 P. CRITHACKER  
 LAND SURVEYOR  
 EXP. 11/30/2024  
 ILLINOIS SURVEYORS BOARD

In my professional opinion, and based on my observations, I hereby certify that the plat shown hereon contains a true and correct representation of the survey. This professional service conforms to the current Illinois minimum standards for a boundary survey.

Dated at Woodstock, McHenry County, Illinois, 01/30 A.D., 20 24.

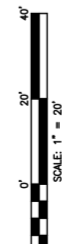
Vanderstappen Land Surveying Inc.  
 Design File No. 184-002782

NOTES: Only those Building Line Restrictions or Easements shown on a Recorded Subdivision Plat are shown hereon unless the description ordered to be surveyed contains a proper description of the required building lines or easements.  
 • No distance should be assumed by scaling.  
 • No underground improvements have been located.  
 • No representation as to ownership, use, or possession should be hereon implied.  
 • This Survey and Plat of Survey are void without original embossed or colored seal and signature affixed.

Compare your description and site markings with this plat and AT ONCE report any discrepancies which you may find.

By: *[Signature]*  
 Illinois Professional Land Surveyor No. 3857

LEGEND	
	CURB INLET
	FOUND IRON BAR
	FOUND IRON PIPE
	FOUND MAG NAIL
	FOUND ROW MARKER
	GAS VALVE
	MAIL BOX
	TELEPHONE RISER
	TV RISER
	WELL
	DEED
	MEASURED



4x4x8 = 107  
 2x6x16 = 162  
 can bag = 161

863  
 2471