
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: WALTER MAGDZIARZ, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: ORDINANCE: ZONING ORDINANCE AMENDMENT (TABLE OF PERMITTED USES)
AGENDA: SEPTEMBER 6, 2022 VILLAGE BOARD MEETING
DATE: SEPTEMBER 2, 2022

ISSUE

Shall the Village Board approve an Ordinance amending the Table of Permitted Uses to add certain uses in the B-3 District.

DISCUSSION

The proposed amendment is related to the rezoning request by the owner of Dirty Pawz pet grooming who desires to relocate their business to the property located at 760 Heartland Drive.

The amendment assumes the property is rezoned to B-3 District and would make the current uses in the building permitted uses in the B-3 District. Regardless whether the use are located at this location or elsewhere in the Village, adding these uses to the list of permitted uses in the B-3 District is necessary and desirable.

The Planning Commission considered the proposed amendment and concurred with the staff recommendation to amend the Table of Permitted Uses as proposed.

ATTACHMENTS

- PC Recommendation 22-009
- Ordinance Amending the Village Code Title 11, Zoning Regulations (Table of Permitted Uses)

COSTS

All direct costs associated with the requested action are borne by the applicant.

RECOMMENDATION

The Village Board should approve an Ordinance Amending the Village Code Title 11, Zoning Regulations (Table of Permitted Uses).

VILLAGE PRESIDENT

Jennifer Konen

VILLAGE ADMINISTRATOR

Brent M. Eichelberger

VILLAGE CLERK

Alison Murphy



COMMUNITY DEVELOPMENT

VILLAGE TRUSTEES

Matthew Bonnie

Ted Koch

Heidi Lendi

Michael Schomas

Ryan Walter

James F. White

R E C O M M E N D A T I O N

PC22-009

TO: Village President and Board of Trustees
FROM: Planning Commission
DATE: Meeting of August 17, 2022
PETITION: 22-009 Text Amendment: Various B3 Permitted Uses

PROPOSAL

Amend section 11-4-22 of the Zoning Ordinance to add "furniture store" and "fitness, health club" as permitted uses in the B3 zoning district.

BACKGROUND & HISTORY

The Village was approached by Dirty Pawz Pet Grooming who would like to relocate their growing business to 760 Heartland Drive. The property they wish to relocate to is currently zoned M1, not allowing pet grooming. In an effort to help Dirty Pawz with their need for expansion the Village felt it would make the most sense to rezone the aforementioned property to B3- Regional Business District. But rezoning the property to B-3 is not without issues. We believe these issues can be easily addressed with this text amendment. For example, "Furniture stores," for some reason, are no longer listed in the permitted use table; adding this use back into the zoning code as a permitted use would cover the use for Nicks Furniture. Sugar Grove Crossfit, is classified as "sports and recreation, indoor and would become a legal non-conforming special use if the property is rezoned. Returning "fitness, health clubs" to the permitted use table as a permitted use in B3 addresses the need. "Fitness, health clubs" as a use would also be more applicable to other fitness uses that are existing in the Village that do not quite fit in the category of sports and recreation, indoor.

While the proposed text amendment can be considered routine code maintenance, it is promulgated by the rezoning application for the property at 760 Heartland Drive.

DISCUSSION

The Planning Commission discussed the proposed text amendment and had no concerns with the proposal.

PUBLIC RESPONSE

After due notice, the Planning Commission held a public hearing on August 17, 2022. No objectors were present.

RECOMMENDATION

The Plan Commission recommends the Village Board approve the proposed text amendment attached as exhibit A.

Exhibit A

<i>Use</i>		<i>A-1</i>	<i>E-1</i>	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>SR</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>BP</i>	<i>OR-2</i>	<i>M-1</i>	<i>I-1</i>
Commercial uses:														
	Furniture Store									P				
	Fitness, Health Club									P				



**VILLAGE OF SUGAR GROVE
KANE COUNTY, ILLINOIS**

ORDINANCE NO. 2022-0906C

**AN ORDINANCE AMENDING THE VILLAGE CODE TITLE 11, ZONING REGULATIONS
(TABLE OF PERMITTED USES)**

Adopted by the Board of Trustees and President of the Village of Sugar Grove
this 6th day of September 2022

Published in pamphlet form by authority of the Board of Trustees of the Village of Sugar Grove
this 6th day of September 2022

VILLAGE OF SUGAR GROVE

ORDINANCE NO. 2022-0906C

**AN ORDINANCE AMENDING THE VILLAGE CODE TITLE 11, ZONING REGULATIONS
(TABLE OF PERMITTED USES)**

WHEREAS, the Village of Sugar Grove is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and, pursuant to the powers granted to it under 65 ILCS 5/1-8 *et seq.*; and,

WHEREAS, the Village currently maintains zoning regulations governing the use and improvement of land within the Village; and,

WHEREAS, the Village finds that such restrictions provide for the safety and well-being of Village inhabitants and benefit the public welfare, safety and morals; and,

WHEREAS, the Village seeks to continue to promote these interests, and seeks to amend the Village Code to more fully protect and preserve the safety and well-being of such inhabitants; and,

WHEREAS, from time to time, it is necessary and desirable to modify the zoning regulations in response to changes in community attitudes, technology, development and the law; and,

WHEREAS, after due notice the Planning Commission held a public hearing concerning the proposed amendments on August 17, 2022, and no objectors were present; and

WHEREAS, the Planning Commission recommended in their Recommendation PC22-010 that the Village Board approve the Zoning Ordinance amendment.

WHEREAS, the Village Board generally concurs with the Planning Commission's recommendation.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

SECTION ONE: ZONING ORDINANCE AMENDMENT

Title 11 (Zoning Ordinance) of the Village Code of Ordinances be amended as provided in Exhibit A, attached hereto and made a part hereof by this reference.

SECTION TWO: GENERAL PROVISIONS

REPEALER: All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect on and after its approval, passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois this 6th day of September 2022.

ATTEST:

Jennifer Konen,
President of the Board of Trustees

Alison Murphy,
Village Clerk

	Aye	Nay	Absent	Abstain
Trustee Matthew Bonnie	___	___	___	___
Trustee Sean Herron	___	___	___	___
Trustee Heidi Lendi	___	___	___	___
Trustee Michael Schomas	___	___	___	___
Trustee Ryan Walter	___	___	___	___
Trustee James White	___	___	___	___

Exhibit A

Amend Section 11-4-22 by adding the following in correct alphabetical order

Use		A-1	E-1	R-1	R-2	R-3	SR	B-1	B-2	B-3	BP	OR-2	M-1	I-1
Commercial uses:														
	Furniture Store									P				
	Fitness, Health Club									P				