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**VILLAGE OF SUGAR GROVE  
BOARD REPORT**

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**TO:** VILLAGE PRESIDENT & BOARD OF TRUSTEES  
**FROM:** WALTER MAGDZIARZ, COMMUNITY DEVELOPMENT DIRECTOR  
**SUBJECT:** ORDINANCE: 799 & 1250 HEARTLAND DRIVE REZONING  
**AGENDA:** SEPTEMBER 20, 2022 VILLAGE BOARD MEETING  
**DATE:** SEPTEMBER 16, 2022

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**ISSUE**

Shall the Village Board approve an Ordinance rezoning the property at 799 and 1250 Heartland Drive from M-1 Light Industrial District to B-3 Regional Business District.

**DISCUSSION**

The subject property is the former American Heartland Bank and the detention basin immediately to the east. The reclassification will provide the proper zoning classification to enable the bank building to be converted to the latest Burnt Barrel Social restaurant by Jim Ratosh.

The Planning Commission considered the rezoning request and was supportive of the change and recommends the Village Board approve the rezoning as requested.

Be advised, the rezoning request includes Lot 12, the detention basin immediately east of the bank property. Lot 12 is owned by the Village of Sugar Grove. It is included in the rezoning request because there is a separate agreement with the owner of Lot 11 to maintain Lot 12 and it will be included in the related application for a Special Use Permit for a Planned Development.

Also be advised, the rezoning request is one part of the zoning actions that need to be completed for this project. The applicant also is requesting approval of a Special Use Permit for a Planned Development but the required information has not been completed as of yet. We anticipate bringing the second part of this request to the Village Board very soon. In the interests of expediting matters, we elected to separate the rezoning from the PUD request in order to be in a position to issue the building permit for remodeling the building as soon as practical.

**ATTACHMENTS**

- Planning Commission Recommendation PC22-011
- Ordinance Reclassifying Certain Property (799 & 1250 Heartland Drive)

**COSTS**

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

**RECOMMENDATION**

That the Village Board approve an Ordinance Reclassifying Certain Property (799 and 1250 Heartland Drive).



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

**ORDINANCE NO. 20220920B**

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**AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY  
(799 & 1250 HEARTLAND DRIVE)**

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Adopted by the Board of Trustees and President of the Village of Sugar Grove  
this 20<sup>th</sup> day of September 2022

Published in pamphlet form by authority of the Board of Trustees of the Village of Sugar Grove  
this 20<sup>th</sup> day of September 2022

**VILLAGE OF SUGAR GROVE**

**ORDINANCE NO. 20220920B**

**AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY  
(799 & 1250 HEARTLAND DRIVE)**

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**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**, James Ratos and the Village of Sugar Grove are the owners of the property legally described in Exhibit A, and have filed with the Village an application to reclassify from M-1 District to B-3 District; and,

**WHEREAS**, after due notice the Planning Commission held a public hearing on September 7, 2022, and no objectors were present, and in their report, Recommendation PC22-011, recommended approval of the rezoning; and,

**WHEREAS**, the Village Board has reviewed the request and concurs with the Planning Commission 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 CLASSIFICATION**

The Zoning Map of the Village of Sugar Grove be, and it is, hereby amended to classify the property legally described in **Exhibit A**, attached hereto and made a part hereof by this reference, to the B-3 Regional Business District.

**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 from and after its passage, approval 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 20<sup>th</sup> 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**

*(Legal Description)*

LOTS 11 AND 12 IN SUGAR GROVE RESEARCH PARK,  
ACCORDING TO THE PLAT THEREOF RECORDED ON MARCH  
21, 1990 AS DOCUMENT NO. 90K14321, IN THE VILLAGE OF  
SUGAR GROVE, KANE COUNTY, ILLINOIS.

PIN: 14-08-253-004 & 14-08-253-005