
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: WALTER MAGDZIARZ, COMMUNITY DEVELOPMENT DIRECTOR
DANIELLE MARION, PLANNING & ZONING ADMINISTRATOR
SUBJECT: ORDINANCE: GRANTING A ZONING VARIATION (FIRESIDE GRILL)
AGENDA: MAY 2, 2023 VILLAGE BOARD MEETING
DATE: APRIL 21, 2023

ISSUE

Shall the Village Board approve an Ordinance granting a zoning variation for a freestanding sign for Fireside Grill.

DISCUSSION

The owner of Fireside Grill desires to improve the signage on the property, including replacing the current non-conforming freestanding sign. The physical layout of the parking and circulation on the property, as well as the right-of-way acquisition for IL 47 and the US 30 ramps limit relocation opportunities and setback requirements become problematic. The owner is seeking relief from the sign setback requirements in order to accommodate the new sign.

The Village Board recently approved a Commercial Property Enhancement Program grant award to Fireside Grill to defray the cost of the new sign pending approval of a zoning variation for the sign setback.

ATTACHMENTS

- ZBA Recommendation ZBA23-005
- Ordinance Granting a Zoning Variation (Fireside Grill)

COSTS

All costs associated with the zoning variation request are borne by the Applicant.

RECOMMENDATION

The Village Board approve the Ordinance Granting a Zoning Variation (Fireside Grill).



EXISTING



1:124.5

OPTION 2


MANUFACTURE AND INSTALL D/F PYLON SIGN

SCALE: 3/8" = 1'

- LETTERS & LOGO: FABRICATED BRUSHED ALUMINUM HALO LIT
- CABINET: PAINTED BLACK
- EMC: SMARTLED ELECTRONIC MESSAGE CENTER, SIZE 18"x10', COLOR: RED OR AMBER
- BASE: STONEWORK TO MATCH BUILDING
- REMOVE AND DISPOSE OF EXISTING SIGN
- ADDRESS: 7" BLACK METAL LETTERS

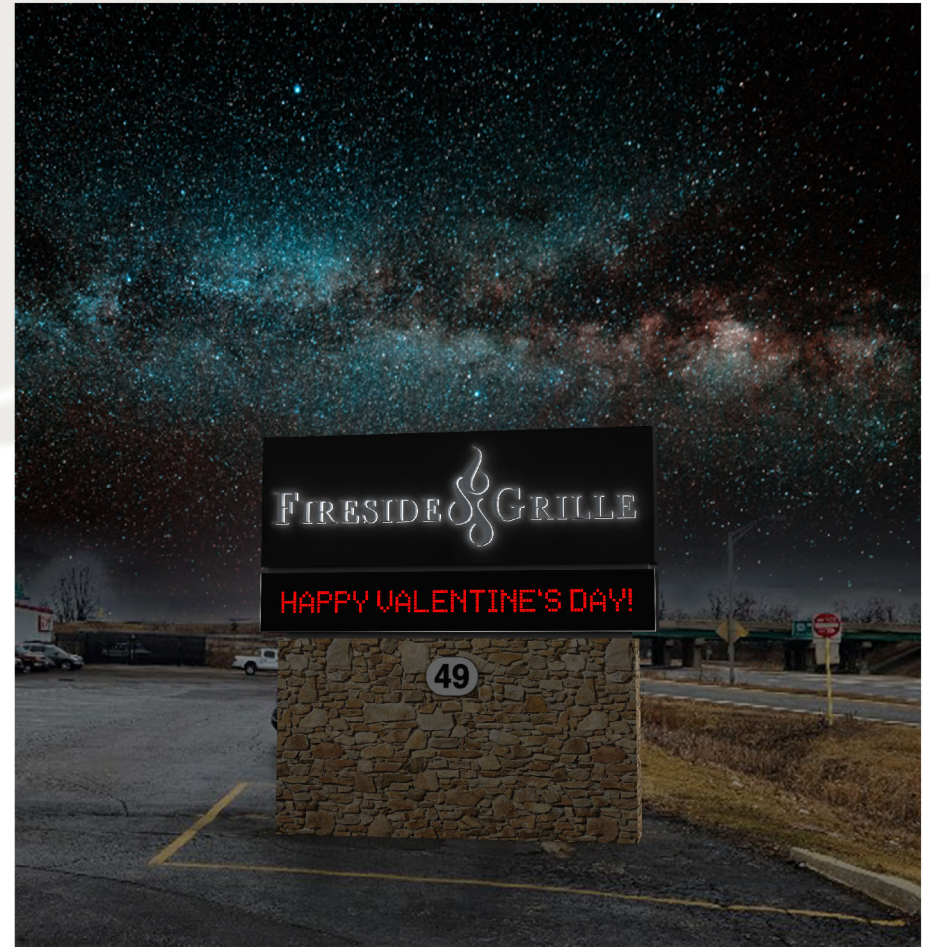
PROPOSED



Approved:	<div><div><div><div>VC</div><div>Signs & Lighting, Inc.</div></div><div><div>709 Parkside Lane Yorkville, IL 60560 vince.campione@yahoo.com 630-999-1616 Cell www.vcsigns1.net</div></div></div><div><div>FIRESIDE GRILLE 49 SUGAR GROVE SUGAR GROVE, IL 60554</div></div></div> <div><p>These plans are exclusive property of VC Sign & Lighting, Inc. and are the result of the original work of its employees. They are submitted to your company for the sole purpose of your consideration of whether to purchase these plans or to purchase from VC Signs & Lighting, Inc. a sign manufactured according to these plans. Distribution or exhibition of these plans to construct a sign similar to the one herein is strictly forbidden. In the event that such exhibition occurs, VC Signs & Lighting, Inc. expects to be reimbursed \$ 500.00 in compensation for time and effort entailed in creating these plans.</p></div>	Name	Date	Notes	Drawn by: SS 02.04.23	
Date:						
				Checked by: VC		



DAY RENDER



NIGHT RENDER

Approved:	<div><div><div>VC</div><div>Signs & Lighting, Inc.</div></div><div>709 Parkside Lane Yorkville, IL 60560 vince.campione@yahoo.com 630-999-1616 Cell www.vcsigns1.net</div><div><small>These plans are exclusive property of VC Sign & Lighting, Inc. and are the result of the original work of its employees. They are submitted to your company for the sole purpose of your consideration of whether to purchase these plans or to purchase from VC Signs & Lighting, Inc. a sign manufactured according to these plans. Distribution or exhibition of these plans to construct a sign similar to the one herein is strictly forbidden. In the event that such exhibition occurs, VC Signs & Lighting, Inc. expects to be reimbursed \$ 500.00 in compensation for time and effort entailed in creating these plans.</small></div></div>	FIRESIDE GRILLE	<table><tr><td>Name</td><td>Date</td><td>Notes</td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr></table>	Name	Date	Notes													Drawn by: SS 02.04.23	
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VILLAGE PRESIDENT

Jennifer Konen

VILLAGE ADMINISTRATOR

VILLAGE CLERK

Alison Murphy



COMMUNITY DEVELOPMENT

VILLAGE TRUSTEES

Matthew Bonnie

Ted Koch

Heidi Lendi

Sean Michels

Michael Schomas

James F. White

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

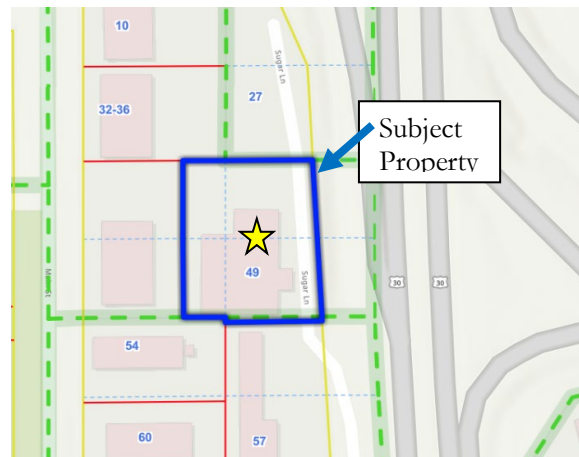
ZBA23-005

TO: Village President and Board of Trustees
FROM: Zoning Board of Appeals
DATE: Meeting of April 19, 2023
PETITION: 23-005 Zoning Variation: Fireside Monument Sign

PROPOSAL

The applicant is requesting a variation to reduce the required setback of a monument sign from ten feet to zero feet.

LOCATION MAP



BACKGROUND & HISTORY

The subject property is a commercial property zoned B1- Community Shopping District and is occupied by the Fireside Grille restaurant. The current sign for Fireside does not conform to the current standards

for sign height, location and area as expressed in the Village Code.

The new owners of Fireside wish to update the existing signage. Due to the layout of the property, primarily the highway right-of-way needed to accommodate the US 30 ramp and IL 47 road widening, there is no alternative location for a monument sign that would satisfy the required setbacks that would not cause the sign to end up being in a parking space or interfering with the parking drive aisle.

The current sign is very tall and is a potential hazard due the amount of movement in the sign when it is windy. The current sign also does not conform to the design requirements for freestanding signs in that the support poles are exposed.

In order to replace the sign our code requires the new sign to meet current Village Code sign requirements, including setbacks. The request for a zoning variation is specifically to allow for the new sign to be located in the same location as the existing sign. The new proposed monument sign will comply with all sign regulations except for the required setback from property lines.

Renderings of the proposed sign are attached and depict a very tasteful sign with an electronic message board and a base concealing the support poles, as required. The area around the new sign also will be landscaped, also as required. The new freestanding sign is part of a completely new sign package for the premises. New signs featuring the new logo for the business will be added to the building which currently has no signs identifying the restaurant. The signs on the building do not require a zoning variation.

The applicant is the operator of the restaurant, not the owner of the property. The property owner has provided his authorization for the restaurant owner to make application for the zoning variation.

Also, just a reminder, the Village Board approved a Commercial Property Enhancement Program grant to Fireside Grille for sign improvements, including the requested sign. The approval of the grant is subject to approval of a zoning variation for the location of the monument sign.

CHARACTER OF AREA

The subject property is a restaurant located on Sugar Lane. To the west is another commercial building; directly north is the US Route 30 off ramp, east is Route 47, and south is a multi-family building. The subject property sits on Sugar Lane adjacent to Route 47.

PUBLIC RESPONSE

After due notice, the Planning Commission held a public hearing on April 19, 2022. No objectors were present.

EVALUATION

The Community Development Department has no issue with the variation request to reduce the required setback for a monument sign to allow Fireside to update their current signage. Due to the size of the right-of-way along Route 47 the sign will still be set back a good distance from the travel lanes of Route 47. The new sign will significantly improve the appearance of the property.

Generally, this requested variation is required to conform to the Village of Sugar Grove Variation Standards. The following evaluation is based on the Variation Standards.

1. Property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district – Without the variations the applicant would not be able to replace their existing sign due to the limitations of possible locations for the sign due to the layout of the surrounding parking lot.

2. Plight of the owner is due to unique circumstances – The applicant cannot comply with the required setbacks for a new monument sign due to the shape and location of their property and the location of parking spaces and drive aisles on the property.

3. Variations if granted, will not alter the essential character of the locality – The variation will not alter the essential character of the locality. The new sign will enhance the appearance of the property.

FINDINGS OF FACT

When considering Zoning Variation requests, the Zoning Ordinance provides certain standards to be considered. The Zoning Board of Appeals hereby finds that the proposed Variations:

- a. Property will not yield a reasonable return if developed under the requirements under the current zoning regulations.

The applicants would not be able to replace the existing sign if they were required to strictly comply with the required setback for a monument sign.

- b. There are unique circumstances causing the owners plight.

The shape and location of the property limit the possible locations for a monument sign exacerbated by the right-way acquisitions made to accommodate the US 30 off ramp and IL 47 road widening.

- c. This variation will not alter the essential character of the area.

This variation is will only enhance the property and area.

- d. There are particular physical surroundings, shape or topographical conditions of the property creating a true hardship.

The right-of-way acquisition to accommodate the US 30 ramp and IL 47 road widening reduced the original sign setback and which was beyond the control of the property owner.

- e. The conditions creating the hardship do not exist on properties throughout the area.

No other nearby properties have existing non-conforming monument signs.

- f. The purpose of the variation is not exclusively based on the desire to make more money on developing the property.

The purpose of the variation is to allow the business owners to update their outdated signage and remove as many non-conformities with the current sign as practical.

- g. Granting this variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

This variation will help to improve the appearance of the old downtown area of Sugar Grove.

- h. The requested variation is the minimum variation necessary to make the reasonable use of the land possible.

The variation requested is the minimum variation necessary for Fireside to replace their existing sign with a new sign in the same location.

- i. The variation will NOT:

- Impair an adequate supply of light and air to adjacent properties
- Substantially increase the hazard from fire or other dangers to this property as well as surrounding properties
- Impair the public health, safety, comfort, morals, or general welfare of the inhabitants of Sugar Grove
- Diminish or impair property values in the neighborhood
- Unduly increase traffic congestion in the public streets
- Create a nuisance
- Result in an increase in public expenditures

The variations requested is not anticipated to impair adequate supply of light and air to the adjacent properties. The sign location will not create greater risk from fire hazard or other dangers to this and surrounding properties. The new sign will benefit the public health, safety, comfort, morals, and general welfare of the inhabitants of Sugar Grove. The updated signage, would not diminish or impair property values. The sign variation will have no impact on traffic congestion; will not create a nuisance; and it will have no anticipated impact on public expenditures.

RECOMMENDATION

After carefully considering the facts and testimony, the Zoning Board of Appeals recommends the Village Board **approve** the requested zoning variations to reduce the required setback for a monument sign from a minimum of 10 feet to 0 feet, subject to the area around the sign being dug out and replaced with a landscaped area around the new sign.

AYES: Jones, Eckert, Guddendorf, Sabo, Wilson, Bieritz, Ochsenchlager

NAYES: None

ABSENT: None

Motion Passed





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

ORDINANCE NO. 2023-0502B

**An Ordinance Granting a Zoning Variation
(Fireside Grill)**

Adopted by the Board of Trustees and President of the Village of Sugar Grove
this 2nd day of May 2023

Published in pamphlet form by authority of the Board of Trustees of the Village of Sugar Grove, Illinois
this 2nd day of May 2023

ORDINANCE NO. 2023-0502B

**AN ORDINANCE GRANTING A ZONING VARIATION
(FIRESIDE GRILL)**

WHEREAS, the Village of Sugar Grove (“Village”) 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 5/1-1 *et seq.*; and,

WHEREAS, Mike Greutman, the owner of the Fireside Grill, is duly authorized to make application for a zoning variation from Section 11-14-7-B-1 of the Village Zoning Ordinance to allow a sign setback of zero (0) feet instead of the required ten (10) feet for a freestanding monument sign on the property described in **Exhibit A**, attached hereto and made a part hereof by this reference; and,

WHEREAS, after due notice, the Zoning Board of Appeals held a public hearing on April 19, 2023 and no objectors were present.

WHEREAS, the Zoning Board of Appeals did find and recommended in their Recommendation ZBA23-005 that the Village Board grant the variation subject to certain conditions; and,

WHEREAS, the Village Board has reviewed this request and has deemed that the approval of the zoning variation would be in compliance with the Comprehensive Plan and all Ordinances of the Village.

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: VARIATION GRANTED

The subject property described in **Exhibit A**, is hereby granted a zoning variation from Section 11-14-7-B-1 of the Village Zoning Ordinance to allow a sign setback of zero (0) feet instead of the required ten (10) feet for a freestanding monument sign, subject to the area around the sign being dug out and replaced with a landscaped area around the new sign.

SECTION TWO: REPEALER

That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any such conflict.

SECTION THREE: 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.

SECTION FOUR: 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 2nd day of May 2023.

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 Sean Michels	___	___	___	___
Trustee Michael Schomas	___	___	___	___
Trustee James White	___	___	___	___

EXHIBIT A

Legal Description

BERT GORDON'S SUBDIVISION THE EAST PT OF LOTS 5 & 6 AS DESCRIBED IN DOC 2004K132784 & WEST PT OF LOTS 7 & 8 AS DESC IN DOC 2004K132780 ALL IN SUGAR GROVE TOWNSHIP, KANE COUNTY, ILLINOIS.

PIN: 14-21-201-047