
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: DANIELLE MARION, PLANNING AND ZONING ADMINISTRATOR
SUBJECT: ORDINANCE: 442 COURTNEY CIRCLE ZONING VARIATION
AGENDA: JUNE 4, 2024 VILLAGE BOARD MEETING
DATE: MAY 28, 2024

ISSUE

Shall the Village Board approve an Ordinance granting a zoning variation at 442 Courtney Circle?

DISCUSSION

The Zoning Board of Appeals recommended approval. The Ordinance includes the conditions of approval recommended by the Zoning Board of Appeals and the additional condition added that the sport court may not encroach into the existing easement. The President of the Homeowners Association was also present at the Zoning Board of Appeals meeting and indicated that the HOA had no objections.

The Village Board discussed the zoning variation in great detail at its May 21, 2024, meeting and directed Village staff to prepare the Ordinance granting the zoning variation subject to certain conditions. While it was acknowledged that the proposed variation is a significant departure from the Zoning Ordinance's current standards, it was noted that this particular property is of an exceptionally large size and is uniquely situated next to the forest preserve property.

The majority of the Board did not have any significant concerns with the applicant's request. The screening of the sport court from the forest preserve property was one item of discussion and the applicant has agreed to plant landscape screening surrounding the sport court that is equivalent to the height of the fence surrounding the sport court. The Board also pointed out that on the site plan provided by the applicant, a corner of the sport court was encroaching into an existing easement. Accordingly, staff has added a condition of approval to the proposed ordinance to address this.

ATTACHMENTS

- Ordinance Granting a Zoning Variation (442 Courtney Circle)

COSTS

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

RECOMMENDATION

The Village Board approve the Ordinance Granting a Zoning Variation (442 Courtney Circle).



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

ORDINANCE NO. 2024-0604CD1

**An Ordinance Granting a Zoning Variation
(442 Courtney Circle)**

Adopted by the Board of Trustees and President of the Village of Sugar Grove
this 4th day of June 2024

Published in pamphlet form
by authority of the Board of Trustees of the Village of Sugar Grove, Kane County, Illinois
this 4th day of June 2024

ORDINANCE NO. 2024-0604CD1

**AN ORDINANCE GRANTING A ZONING VARIATION
(442 COURTNEY CIRCLE)**

WHEREAS, the Village of Sugar Grove (“Village”) is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and accordingly, acts pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.* and other applicable law; and,

WHEREAS, Geoff Hatfield, the owner of the property described in **Exhibit A** (“Property”), has petitioned for a zoning variation from Section 11-4-7(E)2 of the Village’s Zoning Ordinance to increase the maximum permitted size of an accessory structure from 1,000 square feet to 6,048 square feet on said Property; and,

WHEREAS, after due notice, the Zoning Board of Appeals held a public hearing on April 17, 2024 and no objectors were present; and,

WHEREAS, the Zoning Board of Appeals made all required findings of fact and did find and recommended in their Recommendation PC24-05 that the Village Board grant the variation subject to certain conditions; and,

WHEREAS, the Village Board has reviewed this request and the Zoning Board of Appeals recommendation, accepts said recommendation and the findings of fact contained therein, 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: RECITALS

The recitals of this Ordinance are hereby incorporated by reference into this Section One as though fully set forth herein.

SECTION TWO: VARIATION GRANTED

The Property described in **Exhibit A** is hereby granted a zoning variation from Section 11-4-7(E)2 of the Village’s Zoning Ordinance to increase the maximum size of an accessory structure from 1,000 square feet or 70% of the principal building footprint, whichever is less, to allow an accessory structure totaling 6,048 square feet, subject to the following conditions:

1. The accessory structure must have landscaping at least the height of the fence around the sport court to screen the view from neighboring properties and street.
2. No outdoor illumination of the sport court shall be permitted.
3. The sport court shall not encroach into any existing easements.

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 4th day of June 2024.

ATTEST:

Jennifer Konen,
President of the Board of Trustees

Tracey Conti,
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

Lot 16 in Strafford Woods being a subdivision of part of the northeast corner of Section 9, in the northwest corner of Section 10, Township 38 North Range 7 East of the Third Principal Meridian, in Kane County, Illinois.