
VILLAGE OF SUGAR GROVE BOARD REPORT

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: DANIELLE MARION, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: DISCUSSION: FINAL PLAT OF SUBDIVISION - NASH
AGENDA: MARCH 4, 2025 VILLAGE BOARD MEETING
DATE: FEBRUARY 24, 2025

ISSUE

Shall the Village Board discuss a petition for a final plat of subdivision with variances for property located at 66 and 68 Neil Road.

DISCUSSION

The Village received a petition from Tim and Linda Nash for a final plat of subdivision to subdivide their property into two separate parcels. Currently, the property is a single lot with a duplex. The applicants wish to subdivide the property so each separate side of the duplex sits on its own parcel. With this, they are also requesting the following variances due to the existing conditions of the property.

1. A Variation to Section 11-7-4(E)(2)(a) of the Village Code to reduce the minimum lot width for the subdivided lots from seventy-five feet (75') at the building setback line and fifty feet (50') at the front lot line to 46.71 feet at the building setback and front lot line for the western lot, 66 Neil Road, and 47.28 feet at the building setback and front lot line for the eastern lot, 68 Neil Road.
2. A Variation to Section 11-7-4(G)(2)(a) of the Village Code to reduce the minimum interior side yard setback for the east side yard of 66 Neil Road and the west side yard of 68 Neil Road on the subdivided lots from 10 feet to 0 feet. This Variation applies only to the existing building and those side yards, and should either subsequent lot be redeveloped, the strict Standards of the R3 District must be followed.

The Plan Commission held the required public hearing on February 19, 2025. Overall they had no concerns with the proposal other than the appearance of the duplex if it were to be renovated. They expressed a desire to keep the duplex looking the same on each side. The Plan Commission recommended the Village Board approve the proposed plat of subdivision and requested variances with the following conditions:

1. The petitioner must install a second Buffalo Box on the property (each unit shall have its own).
2. The duplexes must maintain a unified and identical appearance and any change in the exterior appearance of either unit is subject to Village Board review and approval.

ATTACHMENTS

- Plan Commission Recommendation 25-04
- Final Plat of Subdivision

RECOMMENDATION

That the Village Board discuss the proposed Final Plat of Subdivision and Variances and provide staff with direction on preparing the necessary ordinance for approval. Staff recommends approval of the proposed Final Plat of Subdivision and Variances with the following conditions:

1. The petitioner must install a second Buffalo Box on the property and any additional separate utilities as may be required by the Village Engineer (each unit shall have its own utilities).
2. The duplexes must maintain a unified and identical appearance and any change in the exterior appearance of either unit is subject to Village Board review and approval.

VILLAGE PRESIDENT

Jennifer Konen

VILLAGE ADMINISTRATOR

Scott Koeppel

VILLAGE CLERK

Tracey Conti



COMMUNITY DEVELOPMENT

VILLAGE TRUSTEES

Matthew Bonnie

Sean Herron

Heidi Lendi

Sean Michels

Michael Schomas

James F. White

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

PC25-04

TO: Village President and Board of Trustees
FROM: Planning Commission
DATE: Meeting of March 4, 2025
PETITION: 25-004 Final Plat of Subdivision, with Variances: 66 & 68 Neil Rd

PROPOSAL

The applicant is requesting a Final Plat of Subdivision for lot 12 in Unit One Richard's Tollway Subdivision, and two Variances:

A Variation to Section 11-7-4(E)(2)(a) of the Village Code to reduce the minimum lot width for the subdivided lots from seventy-five feet (75') at the building setback line and fifty feet (50') at the front lot line to 46.71 feet at the building setback and front lot line for the western lot, 66 Neil Road, and 47.28 feet at the building setback and front lot line for the eastern lot, 68 Neil Road.

A Variation to Section 11-7-4(G)(2)(a) of the Village Code to reduce the minimum interior side yard setback for the east side yard of 66 Neil Road and the west side yard of 68 Neil Road on the subdivided lots from 10 feet to 0 feet. This Variation applies only to the existing building and those side yards, and should either subsequent lot be redeveloped, the strict Standards of the R3 District must be followed.

BACKGROUND & HISTORY

The petitioner is requesting final plat approval for the resubdivision of lot 12 in Unit One Richard's Tollway Subdivision. The petitioner is seeking to subdivide the Subject Property, 66 & 68 Neil Rd, which currently contains a duplex, into two separate parcels. The variances being requested along with the Final Plat of Subdivision would allow for a reduction in the minimum lot width at the

building setback line and the front lot line, and a reduction in the minimum interior side yard setback.

EXISTING ZONING & LAND USE

The property is zoned R3 Medium Density Residential District. The Subject Property has two addresses and contains a duplex. The Comprehensive Land Use Plan designates this property as residential.

DISCUSSION

Commissioners discussed the proposed Final Plat of Subdivision and Variances and expressed concerns about the duplex being renovated in different ways on the two subsequent lots. The Commissioners chose to include a condition to ensure both sides of the duplex look the same.

FINDINGS OF FACT

Findings of Fact (Zoning Variation) – Several standards must be satisfied in order to grant a Zoning Variation. These standards, and the status of each, are described below. The Zoning Board of Appeals must establish that the Zoning Variation:

- a. Property will not yield a reasonable return if developed under the requirements under the current zoning regulations.
As a single lot, the property is the only duplex with two driveways on Neil Road. The property is better suited as two separate lots for individual dwelling units.
- b. There are unique circumstances causing the owner's plight.
Although not unique to the Village, the property is the only duplex with two driveways on Neil Road.
- c. This variation will not alter the essential character of the area.
The variations will make the two lots appear more complementary to the character of the area as opposed to a single lot with two driveways.
- d. There are particular physical surroundings, shape or topographical conditions of the property creating a true hardship.
Although there are no unique topographical conditions in this particular area, the property itself stands out as a duplex with two driveways on a single lot.
- e. The conditions creating the hardship do not exist on properties throughout the area.
This property is the only one on Neil Road that is a duplex with two driveways.

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

No additional development is proposed on the individual lots.

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

Resubdividing the property will have no detrimental effects to the public welfare or be injurious to other properties.

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

The reduced lot width and reduced interior side yard setback are the only necessary variations to resubdivide the property.

- i. The variations will NOT:

- Impair 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 will not negatively impact any of the above-mentioned.

EVALUATION

The Planning Commission has recommended, and the Village Board has approved, other lot resubdivisions and consolidations within the Village.

PUBLIC RESPONSE

After due notice, the Planning Commission held a public hearing on February 19, 2025. No objectors were present.

RECOMMENDATION

After carefully considering the facts, the Planning Commission recommends the Village Board **approve** the proposed Final Plat of Subdivision and Variances, with the following conditions:

- a. The petitioner must install a second Buffalo Box on the property.
- b. The duplex must maintain the same exterior appearance on both lots.

AYES: Rockwell, Sabo, Coia, Guddendorf, Bieritz, Speciale

NAYES: None

ABSENT: Jones

Motion PASSED

FINAL PLAT OF
NEIL ROAD RESUBDIVISION

LOT 1 CONTAINS 6,169 SQ. FT.
LOT 2 CONTAINS 6,559 SQ. FT.

A RESUBDIVISION OF LOT 12 IN BLOCK 2 OF UNIT ONE, RICHARD'S TOLLWAY
SUBDIVISION ACRES, IN THE VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS

ADDRESS: 66-68 NEIL ROAD, SUGAR GROVE, IL, 60554
PIN: 14-204-010

VILLAGE PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KANE }SS

APPROVED AND ACCEPTED BY THE PLAN COMMISSION OF THE VILLAGE
OF SUGAR GROVE, ILLINOIS, THIS ____ DAY OF
_____, 20__.

CHAIRMAN

VILLAGE CLERK'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KANE }SS

APPROVED AND ACCEPTED BY THE PRESIDENT AND BOARD OF
TRUSTEES OF THE VILLAGE OF SUGAR GROVE, ILLINOIS, BY ORDINANCE NO.
_____, AT A MEETING HELD THIS ____ DAY
OF _____, 20__.

VILLAGE CLERK

CERTIFICATE AS TO SPECIAL ASSESSMENT

STATE OF ILLINOIS }
COUNTY OF KANE }SS

I, _____, VILLAGE TREASURER OF THE
VILLAGE OF SUGAR GROVE, DO HEREBY CERTIFY THAT THERE ARE NO
DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL
ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE
BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THIS
PLAT. I FURTHER CERTIFY THAT I HAVE COLLECTED ALL FEES
REQUIRED BY VILLAGE ORDINANCES, ANNEXATION AGREEMENTS,
RECAPTURE AGREEMENTS OR OTHER AGREEMENTS PERTAINING TO THE
LAND INCLUDED IN THIS PLAT, DATED AT SUGAR GROVE, ILLINOIS THIS
____ DAY OF _____, 20__.

VILLAGE TREASURER

OWNER'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KANE }SS

THIS IS TO CERTIFY THAT THE UNDERSIGNED ARE THE OWNER OF THE PROPERTY
DESCRIBED ON THE ATTACHED PLAT AND HAVE CAUSED THE SAME TO BE SURVEYED,
SUBDIVIDED AND PLATTED AS SHOWN BY THE PLAT FOR THE USES AND PURPOSES AS
INDICATED THEREON, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER
THE STYLE AND TITLE THEREON INDICATED.

THE UNDERSIGN FURTHER CERTIFIES THAT ALL OF THE LAND INCLUDED IN THIS PLAT
LIES WITHIN THE BOUNDARIES OF KANELAND COMMUNITY UNIT SCHOOL DISTRICT 302.
WITNESS OUT HAND AND SEAL AT _____,
THIS ____ DAY OF _____, 20__.

TIMOTHY J. NASH
COTTAGE DOOR LLC
268 WHEELER ROAD
SUGAR GROVE, IL 60554

NOTARY CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KANE }SS

I, _____, NOTARY PUBLIC IN AND FOR THE STATE AND
COUNTY AFORESAID, HEREBY CERTIFY THAT _____ AND
_____, PERSONALLY KNOWN TO ME, TO BE THE SAME PERSONS
WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE
ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE ANNEXED PLAT AND
ACCOMPANYING INSTRUMENTS FOR THE USES AND PURPOSES THEREIN SET FORTH AS
THEIR FREE AND VOLUNTARY ACT.
GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS ____ DAY OF
_____, 20__.

NOTARY PUBLIC

RECORDER'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KANE }SS

THIS INSTRUMENT NO. _____ WAS FILED
FOR RECORD IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS, THIS
____ DAY OF _____, 20__ AT _____
O'CLOCK ____ M

KANE COUNTY RECORDER

VILLAGE BOARD'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KANE }SS

APPROVED AND ACCEPTED BY THE PRESIDENT AND BOARD OF
TRUSTEES OF THE VILLAGE OF SUGAR GROVE, ILLINOIS, THIS ____
DAY OF _____, 20__.

PRESIDENT

COUNTY CLERK'S CERTIFICATE

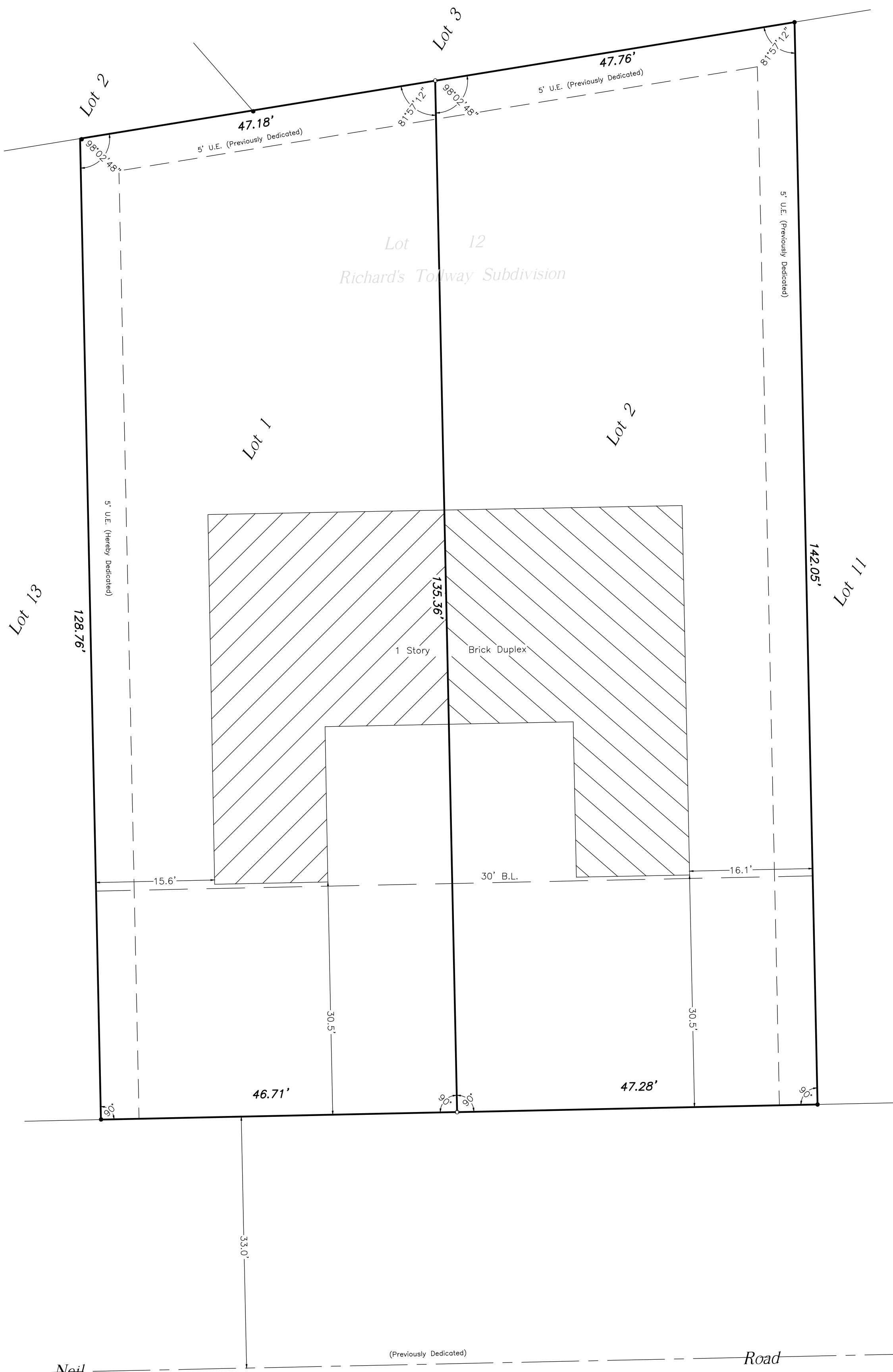
STATE OF ILLINOIS }
COUNTY OF KANE }SS

I, _____, COUNTY CLERK OF KANE
COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO
DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID
FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF
THE LAND INCLUDED IN THE PLAT THEREIN THE PLAT HEREIN DRAWN.
I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN
CONNECTION WITH THE PLAT HEREIN DRAWN.
GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT GENEVA,
ILLINOIS THIS ____ DAY OF _____, 20__.

COUNTY CLERK

SCALE 1"=10'

-----LEGEND-----
----- Boundary of property surveyed
• Found iron pipe
o Set iron pipe
B.L. Building line
U.E. Utility easement



PUBLIC UTILITY AND DRAINAGE EASEMENT

A NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO SBC AMERITECH, NICOR, COM ED, MEDIACOM, OTHER PUBLIC UTILITIES, AND HOLDERS OF EXISTING FRANCHISES GRANTED BY THE VILLAGE OF SUGAR GROVE, ILLINOIS, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS WITHIN THE AREAS SHOWN ON THE PLAT AS "PUBLIC UTILITY & DRAINAGE EASEMENT" (abbreviated P.U. & D.E.) TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REMOVE, REPLACE, INSPECT, MAINTAIN AND OPERATE UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND LINES UNDER THE SURFACE OF THE "PUBLIC UTILITY & DRAINAGE EASEMENT", INCLUDING WITHOUT LIMITATION TO TELEPHONE CABLE, GAS MAINS, ELECTRIC LINES, CABLE TELEVISION LINES, AND ALL NECESSARY FACILITIES APPURTENANT THERETO, TOGETHER WITH THE RIGHT OF ACCESS THERETO FOR THE PERSONNEL AND EQUIPMENT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES AND TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS UNDER THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS THEREON.

A NON-EXCLUSIVE EASEMENT IS ALSO HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF SUGAR GROVE, ILLINOIS TO CONSTRUCT, INSTALL, RECONSTRUCT, REPAIR, REMOVE, REPLACE AND INSPECT FACILITIES FOR THE TRANSMISSION AND DISTRIBUTION OF WATER, STORM SEWERS, SANITARY SEWERS AND ELECTRICITY, WITHIN THE AREAS SHOWN ON THE PLAT AS "PUBLIC UTILITY & DRAINAGE EASEMENT" TOGETHER WITH A RIGHT OF ACCESS THERETO FOR THE PERSONNEL AND EQUIPMENT NECESSARY AND REQUIRED FOR SUCH USES AND PURPOSES.

THE ABOVE NAMED ENTITIES ARE HEREBY GRANTED THE RIGHT TO ENTER UPON EASEMENTS HEREIN DESCRIBED FOR THE USES HEREIN SET FORTH AND THE RIGHT TO CUT, TRIM, OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS WITHIN THE AREAS DESIGNATED AS "PUBLIC UTILITY AND DRAINAGE EASEMENT" WHICH INTERFERE WITH THE CONSTRUCTION, INSTALLATION, RECONSTRUCTION, REPAIR, REMOVAL, REPLACEMENT, MAINTENANCE AND OPERATION OF THEIR UNDERGROUND TRANSMISSION AND DISTRIBUTION SYSTEMS AND FACILITIES APPURTENANT THERETO, NO PERMANENT BUILDINGS, STRUCTURES, OR OBSTRUCTIONS SHALL BE CONSTRUCTED IN, UPON, OR OVER ANY AREAS DESIGNATED AS "PUBLIC UTILITY & DRAINAGE EASEMENT", BUT SUCH AREAS MAY BE USED FOR GARDENS, SHRUBS, TREES, LANDSCAPING, DRIVEWAYS, AND OTHER RELATED PURPOSES THAT DO NOT UNREASONABLY INTERFERE WITH THE USES HEREIN DESCRIBED. THE OCCUPATION AND USE OF THE NON-EXCLUSIVE EASEMENT HEREIN GRANTED AND RESERVED FOR THE ABOVE NAMED ENTITIES BY EACH OF SUCH ENTITIES SHALL BE DONE IN SUCH A MANNER SO AS NOT TO INTERFERE WITH OR PRECLUDE THE OCCUPATION AND USE THEREOF BY OTHER ENTITIES FOR WHICH SUCH EASEMENTS ARE GRANTED AND RESERVED. THE CROSSING AND RE-CROSSING OF SAID EASEMENTS BY THE ABOVE NAMED ENTITIES SHALL BE DONE IN SUCH A MANNER SO AS NOT TO INTERFERE WITH, DAMAGE, OR DISTURB ANY TRANSMISSION AND DISTRIBUTION SYSTEMS AND FACILITIES APPURTENANT THERETO EXISTING WITHIN THE EASEMENTS BEING CROSSED OR RE-CROSSED. NO USE OR OCCUPATION OF SAID EASEMENTS BY THE ABOVE NAMED ENTITIES SHALL CAUSE ANY CHANGE IN GRADE OR IMPAIR OR CHANGE THE SURFACE DRAINAGE PATTERNS.

FOLLOWING ANY WORK TO BE PERFORMED BY THE VILLAGE OF SUGAR GROVE IN THE EXERCISE OF ITS EASEMENT RIGHTS HEREIN GRANTED, SAID VILLAGE SHALL HAVE NO OBLIGATION WITH RESPECT TO SURFACE RESTORATION, INCLUDING BUT NOT LIMITED TO, THE RESTORATION, REPAIR OR REPLACEMENT OF PAVEMENT, CURB, GUTTERS, TREES, LAWN OR SHRUBBERY, PROVIDED, HOWEVER, THAT SAID VILLAGE SHALL BE OBLIGATED, FOLLOWING SUCH MAINTENANCE WORK, TO BACKFILL AND MOUND ALL TRENCH CREATED SO AS TO RETAIN SUITABLE DRAINAGE, TO COLD PATCH ANY ASPHALT OR CONCRETE SURFACE, TO REMOVE ALL EXCESS DEBRIS AND SPOIL, AND TO LEAVE THE MAINTENANCE AREA IN A GENERALLY CLEAN AND WORKMANLIKE CONDITION.

STATE OF ILLINOIS }
COUNTY OF DEKALB }SS

THIS IS TO CERTIFY THAT I LESLIE AARON DOOGS, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3833, AT THE REQUEST OF THE OWNER(S) THEREOF, HAVE SURVEYED AND SUBDIVIDED AND PLATTED THE FOLLOWING DESCRIBED PROPERTY:

LOT 12 IN BLOCK 2 OF UNIT ONE, RICHARD'S TOLLWAY SUBDIVISION, IN THE VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS.

I FURTHER CERTIFY THAT THE ATTACHED PLAT HEREON DRAWN IS A CORRECT AND ACCURATE REPRESENTATION OF SAID SURVEY AND SUBDIVISION. ALL DISTANCES SHOWN IN FEET AND DECIMALS THEREOF.

I FURTHER CERTIFY THAT NO PART OF THE ABOVE DESCRIBED PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, BASED ON FIRM 1708900315J, DATED JULY 17, 2012. ALL OF THE PROPERTY IS LOCATED IN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD.

I FURTHER CERTIFY THAT ALL SUBDIVISION MONUMENTS WILL BE SET AND I HAVE DESCRIBED THEM ON THIS FINAL PLAT AS REQUIRED BY THE PLAT ACT (785-ILCS-205/). THE EXTERIOR SUBDIVISION MONUMENTS HAVE BEEN SET AND INTERIOR MONUMENTS WILL BE SET WITHIN 12 MONTHS OF THE RECORDING OF THIS PLAT IN COMPLIANCE WITH THE ADMINISTRATIVE CODE (SECTION 1270-56 OF THE ILLINOIS PROFESSIONAL LAND SURVEYOR ACT OF 1989).

I FURTHER CERTIFY THAT THE PROPERTY SHOWN ON THE PLAT HEREON DRAWN IS SITUATED WITHIN CORPORATE LIMITS OF THE VILLAGE OF SUGAR GROVE, ILLINOIS, WHICH IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AS AMENDED.

DATED AT DEKALB, ILLINOIS THIS 2ND DAY OF JANUARY, 2025.

LESLIE AARON DOOGS
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3833
LICENSE EXPIRATION DATE: NOVEMBER 30TH, 2026

JADE Hanna Surveyors
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Dekalb, IL 60115
(815) 756-2189
Info@Hannasurveyors.com
License No. 184006622