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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: ZONING VARIATION FOR SIGN AT GRAHAM'S SHELL  
**AGENDA:** SEPTEMBER 20, 2016 COMMITTEE OF THE WHOLE MEETING  
**DATE:** SEPTEMBER 16, 2016

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**ISSUE**

Shall the Village Board grant a zoning variation for a freestanding sign that is taller and larger in area and closer to the property line than permitted by the Zoning Ordinance.

**DISCUSSION**

The Applicant, Graham's C-Stores Company, filed an application for several zoning variations connected to a freestanding sign they wish to erect on their property at 36 E. Galena Boulevard.

The Applicant is seeking the best way to maximize the visibility of their gas station for motorists traveling north and south on Sugar Grove Parkway since that is the dominant street. Village staff collaborated with the Applicant on alternatives to the existing signs on the property which would be removed if the variations are granted.

The requested variations are within the limitations imposed by the Zoning Ordinance. The variations increase the maximum height from 10 feet to 15 feet, increase the maximum area of the sign from 50 square feet to 75 square feet, increase the area of the electronic message center from 20 square feet to 30 square feet (this is the pump price signs), and decrease the setback from 15 feet to zero feet.

The setback variation is necessary since the right-of-way goes up to the paved surfaces on the property. If the sign setback were applied as required the sign would be situated in the circulation area outside the pump island canopy. Even with the requested setback variation the sign will be sufficiently far from the pavement edge of the adjoining roads and will be out of the sight triangle at the intersection.

The Zoning Board of Appeals considered the request and recommended approval in their Recommendation ZBA16-01. The ZBA discussed several areas of concern and possible conditions of approval but did not include the possible conditions of approval in their recommendation. **Staff is of the opinion the conditions of approval are appropriate in this instance and included them in the Ordinance granting the variation.** The conditions of approval are:

- That the existing freestanding monument signs be removed if the variation is granted.
- That landscaping be provided at the base of the sign.

- That no additional freestanding signs along the Sugar Grove Parkway and Galena Boulevard frontages be permitted.

The Applicant has no objection to the proposed conditions of approval.

#### **ATTACHMENTS**

1. Zoning Board of Appeals Recommendation ZBA16-01
2. Ordinance Granting Zoning Variations for a Sign (Graham's C-Stores Company)
3. Sign elevation drawings (dimensioned) and photosimulations

#### **COST**

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

#### **RECOMMENDATION**

That the Village Board approve the Ordinance granting a variation for a sign at 375 N. Galena Boulevard.

**VILLAGE PRESIDENT**

P. Sean Michels

**VILLAGE ADMINISTRATOR**

Brent M. Eichelberger

**VILLAGE CLERK**

Cynthia Galbreath



**COMMUNITY DEVELOPMENT DEPARTMENT**

**VILLAGE TRUSTEES**

Kevin Geary  
Sean Herron  
Mari Johnson  
Ted Koch  
Rick Montalto  
David Paluch

**R E C O M M E N D A T I O N**  
**ZBA16-01**

**TO:** Village President and Board of Trustees  
**FROM:** Zoning Board of Appeals  
**DATE:** Meeting of August 31, 2016  
**CASE FILE:** 16-013 Zoning Variation  
**Image FX for Graham’s C-Stores Company**

**PROPOSAL**

The applicant is requesting variations from Chapter 14: Signs of the Village of Sugar Grove Zoning Ordinance in order to construct one (1) three-sided freestanding sign on the property. The sign will be fifteen (15) feet in height with seventy-five (75) square feet of sign face and a monument style design. Each sign face will have an electronic message center which will digitally display the gas prices. Each of these EMCs will comprise thirty (30) square feet (40%) of the sign face. The sign will be located such that no setback from the property lines nor from the sugar grove parkway access drive will be provided.

The following Zoning Ordinance Variations are required:

- 11-14-9(G) Maximum height of freestanding sign is ten (10) feet; 50% variation requested to allow for fifteen (15) foot height
- 11-14-9(G) Maximum sign face is fifty (50) square feet; 50% variation requested to allow for seventy-five (75) square feet sign face
- 11-14-7(B)1&2 Freestanding signs must be setback at least one (1) foot per one (1) foot of height from all lot lines and access drives; 100% variation requested to allow no setback from lot lines and access drives
- 11-14-9(A)3(a)1 Maximum Electronic Message Center (EMC) portion of sign is twenty (20) square feet; 50% variation requested to allow thirty (30) square feet of EMC for gas prices

## **BACKGROUND & HISTORY**

The property is improved for use as an automobile gas station. This gas station has been vacant since January 2016. The Applicant, Graham C-Stores, is in the process of rehabilitating the site in order to reestablish the gas station use. The Applicant has requested a sign permit for wall signs and gas station canopy signs. Staff is currently working with the applicant to approve that sign permit and do not anticipated the need for additional sign variations for those signs.

The property is improved with two (2) freestanding monument signs. These signs will be abandoned and removed. These signs were permitted and installed in 2013. The signs were the result of a reconstruction of two (2) pole signs that were existing on the property. The signs were allowed to remain in their nonconforming locations because the existing sign poles were used as the central support structure for the redesigned signs. Raised planter beds were constructed around these retrofitted signs to comply with the requirement of being located within a landscaped area as opposed to a paved area. The signs are monument style, seven (7) feet in height and ten (10) feet in width with a 20 square foot area devoted to an electronic message center (EMC) for display of fuel prices.

The Community Development Department collaborated with the Applicant on a suitable size and design of the freestanding sign. The proposed sign (and the requested variations) is the latest iteration and one the staff can support. It is closer to the letter and spirit of the Code than earlier proposals, and the amount of each of the variations is within the limitations imposed by the Zoning Ordinance for such attributes.

The Applicant will extend the driveway curbs to enclose the proposed sign location in a landscaped area, as required. Due to the existing improvements on the property and the location of the right-of-way relative to the existing improvements there is no opportunity to find a suitable location for the sign that complies with the setback requirements. Even with zero setback, the proposed freestanding sign is not situated in the vision triangle at the intersection.

The three-sided sign design permits visibility of the sign from all approaches to the property.

## **PUBLIC COMMENT**

After due notice, including posting the property with public notice signs, the Zoning Board of Appeals held a public hearing on August 17 and continued to August 31, 2016. No objectors were present.

## **EVALUATION**

*Standards for Variation:*

The Village of Sugar Grove Zoning Ordinance section 11-13-10(E) provides standards for Zoning Board of Appeals consideration when reviewing a request for variation. The Zoning Board of Appeals did find the following:

- Would compliance with the existing zoning requirements allow a reasonable return?

*The Applicant believes that more visibility is required for an automobile gas station use*

than other uses in the area. The BP station at 109 S Sugar Grove Parkway is improved with a 24 foot pole sign. The BP station under construction at 11 Waubensee will be constructing a ten (10) foot monument style sign.

- What is the unique circumstance causing the owner's plight?

*The applicant is limited by the existing improvements on the site.*

- Will the variations alter the essential character of the area?

*The area is improved with and planned for regional business uses of which the automobile gas station is compatible. Freestanding monument-style signs already exist in the Sugar Grove Parkway and Galena Boulevard corridors.*

- Are the particular physical surroundings creating a true hardship or a mere inconvenience?

*The property is improved and the applicant is retrofitting the signs on the property. Additionally, the right-of-way for both intersecting streets at this location is exceptionally wide increasing the setback for freestanding signs from the pavement edge when compared to nearby properties.*

- Do the conditions creating the hardship exist on properties through the area?

*The surrounding properties were developed more recently under the Village of Sugar Grove Zoning Ordinance requirements.*

- Is the purpose of the variation exclusively based on the desire to make more money?

*The applicant believes that the new signs will improve the overall appearance of the property.*

- Will this variation be materially detrimental to the public welfare or other properties in the neighborhood?

*The sign will be constructed to building code safety standards.*

- Is the requested variation the minimum required to make reasonable use of the property?

*The applicant believes these variations to be the minimum necessary.*

## **RECOMMENDATION**

The Zoning Board of Appeals recommends the Village Board grant the zoning variations as requested.

AYES: L. Jones, J. Guddendorf, J. Eckert, and H. Lendi

NAYS: G. Wilson

ABSENT: B. Sabo, I. Oschenshlager

Motion PASSED



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

**ORDINANCE NO. 2016-0920\_\_**

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**AN ORDINANCE GRANTING ZONING VARIATIONS FOR  
A SIGN AT 375 N. SUGAR GROVE PARKWAY  
(GRAHAM'S C-STORES COMPANY)**

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Adopted by the Board of Trustees and President of the Village of Sugar Grove  
this 20th day of September, 2016

Published in pamphlet form by authority of the Board of Trustees  
of the Village of Sugar Grove, Kane County, Illinois, this 20th day of September, 2016

**ORDINANCE NO. 2016-0920\_\_**

**AN ORDINANCE GRANTING ZONING VARIATIONS FOR A SIGN  
AT 375 N. SUGAR GROVE PARKWAY  
(GRAHAM'S C-STORES COMPANY)**

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

**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 5/1-1 *et seq.*; and,

**WHEREAS**, Graham C-Stores Company have petitioned for a zoning variation to permit a single three-sided permanent freestanding sign fifteen (15) feet in height instead of the maximum ten (10) feet; having a maximum sign area of seventy-five (75) square feet instead of the maximum fifty (50) square feet; having thirty (30) square feet of electronic message center instead of the maximum twenty (20) square feet; and, having zero (0) setback from the right-of-way line instead of the required fifteen (15) feet, all at 375 N. Sugar Grove Parkway and legally described in Exhibit A; and,

**WHEREAS**, after due notice, a public hearing was conducted on the requests by the Zoning Board of Appeals on August 17 and continued to August 31, 2016, and the Zoning Board of Appeals recommended approval of the requested zoning variations in their Recommendation ZBA16-01; and,

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

**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 VARIATIONS AND CONDITIONS OF APPROVAL**

The subject property described in **Exhibit A** is hereby granted the zoning variations described in **Exhibit B**, attached hereto and made a part hereof, and said variations are subject to the conditions enumerated on **Exhibit C** which is attached and made a part of this ordinance.

**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, Illinois, this 20<sup>th</sup> day of September, 2016.

\_\_\_\_\_  
P. Sean Michels,  
President of the Board of Trustees of the  
Village of Sugar Grove

ATTEST:

\_\_\_\_\_  
Cindy L. Galbraith,  
Clerk of the Village of Sugar Grove

	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>	<b>Abstain</b>
Trustee Kevin Geary	___	___	___	___
Trustee Sean Herron	___	___	___	___
Trustee Mari Johnson	___	___	___	___
Trustee Ted Koch	___	___	___	___
Trustee Rick Montalto	___	___	___	___
Trustee David Paluch	___	___	___	___

**EXHIBIT A**

*LEGAL DESCRIPTION*

LOT 1 IN PHILLIPS 66 RESUBDIVISION, IN THE VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS.

## **EXHIBIT B**

### *Zoning Variations*

- Section 11-14-9(G) Maximum height of freestanding sign to allow for fifteen (15) foot height, instead of the maximum ten (10) feet
- Section 11-14-9(G) Maximum sign area to allow for seventy-five (75) square feet sign area, instead of the maximum fifty (50) square feet
- Section 11-14-7(B)1&2 Freestanding signs minimum setback to allow a zero (0) setback, instead of the required at least one (1) foot per one (1) foot of height from all lot lines and access drives
- Section 11-14-9(A)3(a)1 Maximum Electronic Message Center (EMC) sign area to allow thirty (30) square feet of EMC for gas price sign portion of sign, instead of the maximum twenty (20) square feet

## **EXHIBIT C**

### *CONDITIONS OF APPROVAL*

1. That the existing freestanding monument signs on the subject property be removed if the variations are granted.
2. That landscaping be provided at the base of the freestanding sign.
3. That no additional freestanding signs along the Sugar Grove Parkway and Galena Boulevard frontages be permitted, if the zoning variations are granted.

15'- 0" OAH  
[4572mm]

60 3/4"  
[1543mm]

60 3/4"  
[1543mm]

[1219mm]



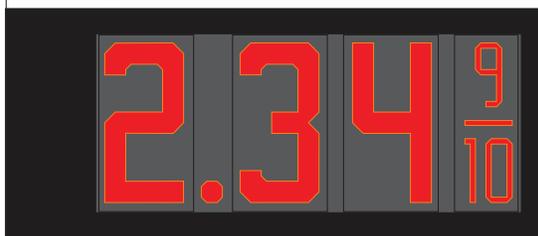
18 1/4"  
[464mm]



55"  
[1397mm]

36 1/4"  
[921mm]

Regular with Wash



16" LED

18 1/4"  
[464mm]

Regular  
without Wash



8" LED

18 1/4"  
[464mm]

Diesel



8" LED

18 1/4"  
[464mm]

Shell  
V-Power





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## Sugar Grove MID Mockup

Location:

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Designer:

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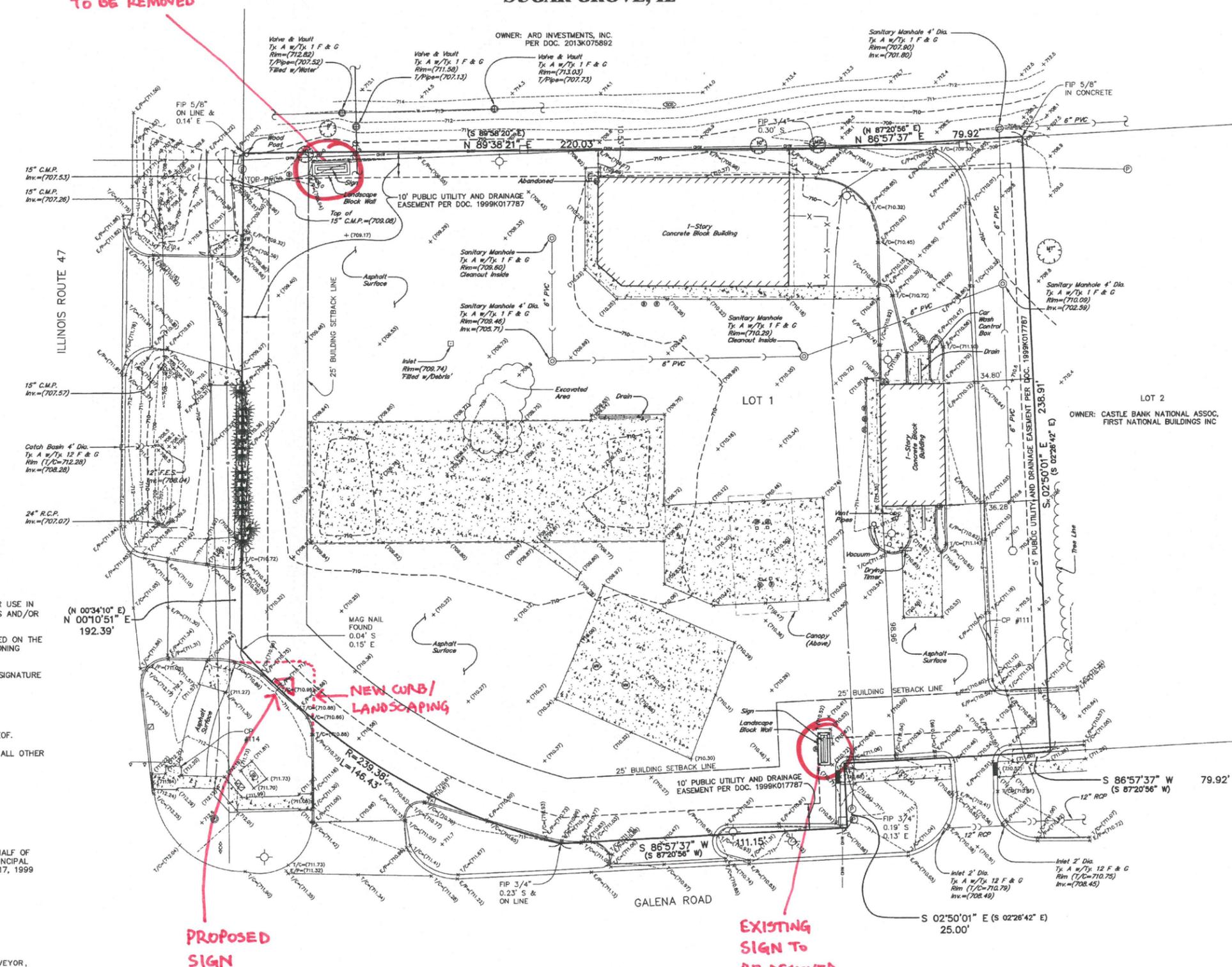
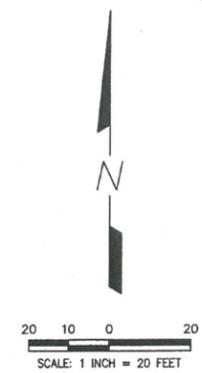
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# PLAT OF SURVEY

201 IL ROUTE 47,  
SUGAR GROVE, IL

EXISTING SIGN  
TO BE REMOVED



**LINE LEGEND**

- PROPERTY LINE (Heavy Solid Line)
- ADJACENT PROPERTY LINE OR RIGHT-OF-WAY LINE (Light Solid Line)
- BUILDING LINE (Long Dashed Lines)
- - - EASEMENT LINE/LIMITS OF EASEMENT (Short Dashed Lines)

**SYMBOL LEGEND**

- ⊗ BUFFALO BOX
- ⊙ BOLLARD
- ⊙ CABLE TV PEDESTAL
- ⊕ CABLE TV JUNCTION BOX
- CATCH BASIN
- ⊕ ELECTRIC PEDESTAL
- ⊕ ELECTRIC HAND HOLD BOX
- ⊕ ELECTRIC JUNCTION BOX
- ⊕ ELECTRIC METER
- SANITARY CLEANOUT
- SANITARY MANHOLE
- ⊕ SIGN
- ⊕ SPRINKLER CONTROL BOX
- ⊕ STORM DRAIN
- ⊕ TELEPHONE JUNCTION BOX
- ⊕ TELEPHONE MANHOLE
- ⊕ TELEPHONE MARKER POST
- ⊕ TELEPHONE PEDESTAL
- ⊕ TELEPHONE POLE
- ⊕ TRAFFIC SIGNAL CONTROL BOX
- ⊕ TRAFFIC SIGNAL HAND HOLD BOX
- ⊕ TRAFFIC SIGNAL POLE
- ⊕ TRAFFIC SIGNAL POST WITH MAST
- ⊕ UTILITY POLE
- ⊕ WATER METER
- ⊕ FLARED END SECTION
- ⊕ FIRE HYDRANT
- ⊕ INLET
- ⊕ GAS METER
- ⊕ GUY WIRE
- ⊕ INLET
- ⊕ LIGHT POLE
- ⊕ MANHOLE
- ⊕ MONITORING WELLS
- ⊕ PEDESTALS (MULTIPLE)
- ⊕ PHONE-ELECTRIC-CABLE TV
- ⊕ TREE CONIFEROUS WITH DIAMETER

**SURVEYOR'S NOTES**

1. A TITLE COMMITMENT WAS NOT FURNISHED TO CEMCON, LTD. FOR USE IN PREPARATION OF THIS PLAT. THEREFORE, ADDITIONAL EASEMENTS AND/OR SERVITUDES MAY AFFECT THE SUBJECT LOT.
2. BUILDING LINES ARE SHOWN ONLY WHERE THEY ARE SO RECORDED ON THE MAPS. REFER TO YOUR DEED OR ABSTRACT FOR ADDITIONAL ZONING RESTRICTIONS.
3. THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND IMPRESSED SEAL.
4. THE BEARINGS SHOWN HEREON ARE ASSUMED.
5. DIMENSIONS ALONG CURVES ARE ARC DISTANCES.
6. MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
7. DIMENSIONS ENCLOSED IN ( ) INDICATE RECORD OR DEED DATA. ALL OTHER DIMENSIONS ARE MEASURED.
8. FIP = FOUND IRON PIPE (⊕ AS SHOWN)  
FIR = FOUND IRON ROD
9. PARCEL CONTAINS 1.75 ACRES, MORE OR LESS.

**PARCEL DESCRIPTION**

LOT 1 IN PHILLIPS 66 RESUBDIVISION, BEING A PART OF THE EAST HALF OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 17, 1999 AS DOCUMENT 1999K017787, IN KANE COUNTY, ILLINOIS.

**SURVEYOR'S CERTIFICATE**

STATE OF ILLINOIS) SS.  
COUNTY OF DUPAGE)

I, PETER A. BLAESER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED UNDER MY DIRECTION AND THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY AND TOPOGRAPHIC SURVEY.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

**BENCHMARKS**

- PROJECT ELEVATION REFERENCE MARKS**
- CP #111-SET 'X' IN TOP OF CONCRETE CURB ON EAST SIDE OF PROPERTY APPROXIMATELY 80 FEET NORTH OF GALENA ROAD  
ELEV. = 711.12 NAVD88
  - CP #114-SET 'X' IN SIDEWALK ON WEST SIDE OF PROPERTY APPROXIMATELY 42 FEET NORTH OF GALENA ROAD  
ELEV. = 712.27 NAVD88

PREPARED FOR:  
GRAHAM C-STORES COMPANY

PREPARED BY:  
**CEMCON, Ltd.**  
Consulting Engineers, Land Surveyors & Planners  
2280 White Oak Circle, Suite 100 Aurora, Illinois  
60502-9675 PH: 630.862.2100 FAX: 630.862.2199  
E-Mail: cadd@cemcon.com Website: www.cemcon.com

DISC NO.: 904178 FILE NAME: PLAT OF SURVEY  
DRAWN BY: DRWN BY FLD. BK. / PG. NO.: D63/27-29  
COMPLETION DATE: 7/20/16 JOB NO.: 904.178  
PROJECT REFERENCE:  
REVISIONS:

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