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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  
RENEE HANLON, ZONING ADMINISTRATOR  
**SUBJECT:** ORDINANCE: GRANTING A SPECIAL USE PERMIT FOR A CHURCH  
AND A CHILD DAYCARE (VILLAGE BIBLE CHURCH)  
**AGENDA:** MAY 16, 2017 VILLAGE BOARD MEETING  
**DATE:** MAY 9, 2017

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**ISSUE**

Shall the Village Board grant a Special Use Permit for Church and Child Daycare on the property located at 847 N Sugar Grove Parkway.

**DISCUSSION**

The Village Board last discussed this matter at its May 2, 2017 meeting and determined all concerns were addressed.

Earlier this year, the Community Development Department received a complaint that a child daycare facility was being operated at 847 N Sugar Grove Parkway. Child daycare facilities are not permitted in the current R-2 zoning district assigned to this property. Although Village Bible Church was granted a Special Use in 2006 for the Church, the Special Use cannot be extended to include Child Daycare without specific approval.

The request is for Special Use to permit both the existing Church to continue operations (with the reclassification of the property) and to permit the addition of a Child Daycare facility at this location.

**ATTACHMENT**

- An Ordinance Granting a Special Use Permit to Establish and Operate a Church and a Day Care Facility at 847 N. Sugar Grove Parkway (Village Bible Church)

**COSTS**

All costs associated with the special use request are borne by the Applicant.

**RECOMMENDATION**

That the Village Board approve the Ordinance granting the Special Use Permit for Church and Child Daycare Facility at 847 N. Sugar Grove Parkway (Village Bible Church).



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

**ORDINANCE NO. 2017-0516\_**

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**AN ORDINANCE GRANTING A SPECIAL USE TO  
ESTABLISH AND OPERATE A CHURCH AND A DAY CARE FACILITY  
AT 847 N. SUGAR GROVE PARKWAY  
(VILLAGE BIBLE CHURCH)**

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Adopted by the Board of Trustees and President of the Village of Sugar Grove  
this 16<sup>th</sup> day of May, 2017

Published in pamphlet form by authority of the Board of Trustees of the  
Village of Sugar Grove, Kane County, Illinois,  
this 16<sup>th</sup> day of May, 2017

**ORDINANCE NO. 2017-0516\_**

**AN ORDINANCE GRANTING A SPECIAL USE TO  
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AT 847 N. SUGAR GROVE PARKWAY  
(VILLAGE BIBLE CHURCH)**

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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**, Village Bible Church has requested a Special Use to establish and operate a Church and a Day Care facility at 847 N. Sugar Grove Parkway, property legally described in SECTION ONE herein; and,

**WHEREAS**, after due notice the Planning Commission held a public hearing on April 19, 2017, and in their PC Recommendation PC17-03 recommended approval of the Special Use; and,

**WHEREAS**, the Village Board has reviewed the request and has deemed that approval of the Special Use would be in compliance with the Zoning Ordinance 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: SPECIAL USE**

A Special Use Permit to establish and operate a church and a day care facility pursuant to Section 11-13-12 of the Village of Sugar Grove Zoning Ordinance is hereby granted on the subject property described in Exhibit A which is attached and made a part hereof by this reference. Said Special Use is conditioned upon compliance with the following conditions:

1. A plan for parking lot improvements, drafted by a licensed engineer, shall be submitted to the Village within six (6) months of Village Board approval of this Special Use request.
2. Parking lot improvements or a formal agreement for provision of off-site parking shall be completed within eighteen (18) months of Village Board Approval of this Special Use petition.

**SECTION TWO: GENERAL PROVISIONS**

**REPEALER:** That all ordinances or portions thereof in conflict herewith are hereby repealed to the extent of any such conflict.

**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 on and after its approval, passage 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 16<sup>th</sup> day of May 2017.

\_\_\_\_\_  
P. Sean Michels  
President of the Board of Trustees

ATTEST: \_\_\_\_\_  
Cynthia L. Galbreath,  
Village Clerk

	<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 David Paluch	___	___	___	___
Trustee Rick Montalto	___	___	___	___

## **Exhibit A**

### **Legal Description**

LOT 6 OF OAK HILL SUBDIVISION AND THAT PART OF THE SOUTH HALF OF SECTION 9, AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 16, ALL IN TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST WESTERLY NORTHWEST CORNER OF LOT 6 IN OAK HILL SUBDIVISION; THENCE NORTH 73 DEGREES 51 MINUTES 10 SECONDS WEST ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF ILLINOIS STATE ROUTE 47, BEING 100 FEET NORMALLY DISTANT NORTHEASTERLY FROM THE PRESENT CENTER LINE OF SAID ROUTE, 366.84 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE FORMER CHICAGO, MILWAUKEE, AND GARY RAILWAY COMPANY LANDS, BEING 50 FEET NORMALLY DISTANT NORTHEASTERLY FROM THE CENTER LINE OF SAID RAILWAY; THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE 1416.25 FEET TO THE NORTHWESTERLY LINE OF BLISS ROAD (STATE AID ROUTE NO. 9), BEING 30 FEET NORMALLY DISTANT NORTHWESTERLY FROM THE CENTER LINE OF SAID ROAD; THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY LINE 211.14 FEET TO THE NORTHEASTERLY LINE OF LOT 1 IN SAID OAK HILL SUBDIVISION EXTENDED SOUTHEASTERLY; THENCE NORTH 56 DEGREES 7 MINUTES 21 SECONDS WEST ALONG SAID NORTHEASTERLY LINE AND SAID NORTHEASTERLY LINE EXTENDED, 82.72 FEET TO AN ANGLE IN SAID NORTHEASTERLY LINE; THENCE NORTH 69 DEGREES 14 MINUTES 10 SECONDS WEST ALONG SAID NORTHEASTERLY LINE 53 FEET TO AN ANGLE IN SAID NORTHEASTERLY LINE; THENCE NORTH 70 DEGREES 58 MINUTES 10 SECONDS WEST ALONG SAID NORTHEASTERLY LINE AND SAID NORTHEASTERLY LINE EXTENDED, 208.05 FEET; THENCE SOUTH 19 DEGREES 1 MINUTE 50 SECONDS WEST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 179.98 FEET TO THE NORTHEASTERLY LINE OF LOT 3 IN SAID OAK HILL SUBDIVISION; THENCE NORTH 70 DEGREES 58 MINUTES 10 SECONDS WEST ALONG THE NORTHEASTERLY LINE OF LOTS 3, 4, AND 5 IN SAID SUBDIVISION 417.51 FEET TO THE MOST SOUTHERLY CORNER OF LOT 6, AFORESAID; THEN NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 6, 286.81 FEET TO THE POINT OF BEGINNING; EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE WESTERLY LINE OF A NORTHEASTERLY AND SOUTHWESTERLY HIGHWAY KNOWN AS STATE AID ROUTE 9 WITH THE NORTHERLY LINE OF THE FORMER RIGHT-OF-WAY OF CHICAGO, MILWAUKEE, ST PAUL AND PACIFIC RAILROAD COMPANY; THENCE NORTHWESTERLY ALONG SAID FORMER NORTHERLY RIGHT-OF-WAY LINE, 175 FEET; THENCE SOUTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 100 FEET TO THE SOUTHERLY LINE OF SAID FORMER RIGHT-OF-WAY; THENCE SOUTHEREASTERLY ALONG SAID RIGHT-OF-WAY LINE TO THE WESTERLY LINE OF SAID STATE AID ROUTE NO. 9; THENCE NORTHEASTERLY ALONG SAID WESTERLY LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1012.14 FEET, TO THE POINT OF BEGINNING; IN THE TOWNSHIP OF SUGAR GROVE, KANE COUNTY, ILLINOIS.