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**THE VILLAGE OF HOMER GLEN  
WILL COUNTY, ILLINOIS**

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**ORDINANCE  
NUMBER 24-017**

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**AN ORDINANCE GRANTING A VARIANCE TO INCREASE THE  
PERMITTED NUMBER OF WALL SIGNS ON THE EAST ELEVATION  
FROM ONE (1) TO EIGHT (8) FOR CERTAIN REAL PROPERTY  
LOCATED IN THE C-3 GENERAL BUSINESS DISTRICT AT 15830 S.  
BELL ROAD, HOMER GLEN, ILLINOIS. [HG-2403-V]**

**CHRISTINA NEITZKE-TROIKE, Village President  
CANDICE BIELSKI, Village Clerk**

**Village Trustees  
JENNIFER CONSOLINO  
DAN FIALKO  
CURT MASON  
CJ MCNAUGHTON  
ROSE REYNDERS  
SUSANNA E. STEILEN**

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Homer Glen  
Prepared by: Peterson, Johnson, and Murray, LLC, Village Attorneys  
1301 W. 22nd Street – Ste. 500 Oak Brook, Illinois 60523

AN ORDINANCE GRANTING A VARIANCE TO INCREASE THE PERMITTED NUMBER OF WALL SIGNS ON THE EAST ELEVATION FROM ONE (1) TO EIGHT (8) FOR CERTAIN REAL PROPERTY LOCATED IN THE C-3 GENERAL BUSINESS DISTRICT AT 15830 S. BELL ROAD, HOMER GLEN, ILLINOIS. [HG-2403-V]

**WHEREAS**, the Village of Homer Glen, Will County, Illinois (the “Village”) is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the “Home Rule Powers”); and,

**WHEREAS**, an application has been filed by Running Supply, Inc for a Variance to increase the permitted number of wall signs on the east elevation from one (1) to eight (8) for certain real property located in the C-3 General Business District at 15830 S. Bell Road, Homer Glen, Illinois; and,

**WHEREAS**, the parcels that are the subject of the aforesaid application and of this Ordinance (“Subject Property”) are legally described in “Exhibit A;” and,

**WHEREAS**, pursuant to a public notice published in a newspaper of general circulation within the Village as required by the Code of the Village of Homer Glen, the Plan Commission of the Village held a public hearing with regard to said application on March 7, 2024 and rendered its findings of fact and recommendations to the Board of Trustees of the Village; and,

**WHEREAS**, the Plan Commission after due consideration of the issues, exhibits, and testimony, made findings of fact and recommended approval to the Village Board which are incorporated into the record of its proceedings, are attached hereto as Exhibit “B,” and,

**WHEREAS**, the Village President and Board of Trustees carefully considered public commentary and the recommendations of the Plan Commission which are incorporated into the record of its proceedings; and,

**WHEREAS**, the Village President and Board of Trustees, after due consideration have determined that granting of a Variance to increase the permitted number of wall signs on the east elevation from one (1) to eight (8) for certain real property located in the C-3 General Business District at 15830 S. Bell Road, Homer Glen, Illinois, is in conformance with the Village’s Comprehensive Plan and in the best interests of the public health, safety and welfare of the Village’s residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Village President and Village Board of Trustees of the Village of Homer Glen, Will County, Illinois, by and through its Home Rule Powers, as follows:

**Section 1. Incorporation of Recitals.** That the recitals and findings set forth above and in the recommendation of the Plan Commission, attached hereto as Exhibit “B” are incorporated

herein by reference the same as if they were fully set forth herein verbatim and they are adopted as the recitals of the Village Board.

**Section 2. Variances.** The Village hereby grants a Variance to increase the permitted number of wall signs on the east elevation from one (1) to eight (8) for certain real property located in the C-3 General Business District at 15830 S. Bell Road, Homer Glen, Illinois [Case No. HG-2403-V].

**Section 3. Severability.** The various portions of this Ordinance are hereby expressly declared to be severable, and the invalidity of any such portion of this Ordinance shall not affect the validity of any other portions of this Ordinance, which shall be enforced to the fullest extent possible.

**Section 4. Repealer.** All Ordinances or portions of Ordinances previously passed or adopted by the Village of Homer Glen that conflict with or are inconsistent with the provisions of this Ordinance are hereby repealed.

**Section 5. Effective Date.** This Ordinance shall be in full force and effect from and after its passage and approval.

**Section 6. Notice to Applicant.** That the Village Clerk is further directed to forward a copy of this Ordinance to the applicant as notification of the passage and approval of this Ordinance.

Adopted this 27<sup>th</sup> day of March, 2024 pursuant to a roll call vote as follows:

	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>PRESENT</u>
Consolino			X	
Fialko			X	
Mason	X			
McNaughton			X	
Reynders	X			
Steilen	X			
Neitzke-Troiike (Village President)	X			
TOTAL	4		3	

APPROVED by the Village President on March 27, 2024

  
\_\_\_\_\_  
Christina Neitzke-Troiike  
Village President

ATTEST:  
  
\_\_\_\_\_  
Candice Bielski  
Village Clerk

**Legal Description – “Exhibit A”**

COMMON ADDRESS: 15830 S. Bell Road, Homer Glen, Illinois  
PIN: 16-05-14-400-014-0000

**PARCEL I:**

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 14, TOWNSHIP 36 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS; THENCE NORTH ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 14, SAID EAST LINE HAVING THE ASSUMED BEARING OF NORTH 0 DEGREES 00 MINUTES EAST, A DISTANCE OF 600.12 FEET TO A POINT; THENCE SOUTH 89 DEGREES 39 MINUTES WEST A DISTANCE OF 40.0 FEET TO A POINT, SAID POINT TO BE KNOWN AS THE POINT OF BEGINNING; THENCE SOUTH 0 DEGREES 00 MINUTES WEST A DISTANCE OF 352.74 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 271.60 FEET, A DEGREE OF CURVATURE OF 21 DEGREES 6 MINUTES, AND AN INTERIOR ANGLE OF 89 DEGREES 39 MINUTES; THENCE SOUTHERLY AND WESTERLY ALONG SAID CURVE TO THE RIGHT A LONG CHORD DISTANCE OF 278.49 FEET TO A POINT SAID LONG CHORD HAVING A BEARING OF SOUTH 41 DEGREES 45 MINUTES WEST; THENCE SOUTH 89 DEGREES 45 MINUTES WEST A DISTANCE OF 426.83 FEET TO A POINT; THENCE NORTH 0 DEGREES 07 MINUTES WEST A DISTANCE OF 558.57 FEET TO A POINT; THENCE NORTH 89 DEGREES 39 MINUTES EAST A DISTANCE OF 614.02 FEET TO THE POINT OF BEGINNING;

**PARCEL II:**

NON-EXCLUSIVE EASEMENT FOR STORM RETENTION PURPOSES AS CREATED IN WARRANTY DEED FROM CDI, LTD., TO OTR, AN OHIO GENERAL PARTNERSHIP RECORDED DECEMBER 15, 1981 AS DOCUMENT NO. R81-29881, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 14, TOWNSHIP 36 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS; THENCE NORTH ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 14, SAID EAST LINE HAVING THE ASSUMED BEARING OF NORTH 0 DEGREES 00 MINUTES EAST, A DISTANCE OF 600.12 FEET TO A POINT; THENCE SOUTH 89 DEGREES 39 MINUTES WEST A DISTANCE OF 644.02 FEET TO A POINT, SAID POINT TO BE KNOWN AS THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 39 MINUTES WEST, 10.0 FEET TO A POINT; THENCE NORTH 0 DEGREES 07 MINUTES WEST, 35.75 FEET TO A POINT; THENCE SOUTH 89 DEGREES 39 MINUTES WEST, 411.04 FEET TO A POINT ON THE EAST LINE OF THE WEST 250.0 FEET OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 14; THENCE NORTH 0 DEGREES 07 MINUTES WEST ALONG THE EAST LINE OF THE WEST 250.0 FEET OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 14, A DISTANCE OF 50.0 FEET TO A POINT; THENCE NORTH 89 DEGREES 39 MINUTES EAST, 200.0 FEET TO A POINT; THENCE SOUTH 0 DEGREES 07 MINUTES EAST A DISTANCE OF 40.0 FEET TO A POINT; THENCE NORTH 89 DEGREES 39 MINUTES EAST A DISTANCE OF 221.04 FEET TO A POINT; THENCE SOUTH 0 DEGREES 07 MINUTES EAST A DISTANCE OF 45.75 FEET TO THE POINT OF BEGINNING;

**PARCEL III:**

4828-2487-0761.1  
STORE / Big R II  
Warranty Deed  
15830 South Bell Road, Homer Glen, IL, 60491  
File No. 721002-610.0

A POINT; THENCE SOUTH 0 DEGREES 00 MINUTES WEST A DISTANCE OF 30.0 FEET TO THE POINT OF BEGINNING, ALL IN WILL COUNTY, ILLINOIS.

EXCEPTING THEREFROM:

THAT PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 36 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 14; THENCE SOUTH 88 DEGREES 02 MINUTES 06 SECONDS WEST (BEARINGS BASED ON ILLINOIS STATE PLANE COORDINATES, EAST ZONE, NAD83-2007) ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 652.12 FEET TO THE EAST LINE OF THE WEST 661.00 FEET OF THE EAST HALF OF SAID SOUTHEAST QUARTER; THENCE NORTH 01 DEGREES 41 MINUTES 13 SECONDS WEST ALONG SAID LINE, 42.07 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 159<sup>TH</sup> STREET AS DEDICATED BY DOCUMENT NO. 459592 AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 01 DEGREES 41 MINUTES 13 SECONDS WEST, 10.00 FEET; THENCE NORTH 88 DEGREES 08 MINUTES 53 SECONDS EAST PARALLEL WITH THE SAID NORTH RIGHT-OF-WAY LINE OF 159<sup>TH</sup> STREET, 454.05 FEET TO THE WEST RIGHT-OF-WAY LINE OF BELL ROAD AS WIDENED BY DOCUMENT NO. 387867 BEING A CURVE CONCAVE TO THE NORTHWEST; THENCE SOUTHWEST 29.04 FEET ON SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 271.60 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 67 DEGREES 59 MINUTES 35 SECONDS WEST, A DISTANCE OF 29.02 FEET TO THE SAID NORTH RIGHT-OF-WAY LINE OF 159<sup>TH</sup> STREET; THENCE SOUTH 88 DEGREES 08 MINUTES 53 SECONDS WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, 426.83 FEET TO THE POINT OF BEGINNING, IN WILL COUNTY, ILLINOIS

**Findings of Fact-“Exhibit B”**

**Standards for Variances**

Section 220-1207C of the Code of the Village of Homer Glen states the required standards for making findings of fact for variances. The following are the categories with findings provided by the applicant. Staff concurs with these findings. Staff suggested findings are included in *italics*.

1. The Plan Commission shall not vary the provisions of this chapter as authorized unless it has made findings based upon the evidence presented to it in the following cases:

- (a) That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone.

*The property could still yield a reasonable return on the land if they used the property within the regulations for wall signs. However, the previous tenant had already been granted a Variance to allow an increase in the permitted number of wall signage on the east elevation from one (1) sign to seven (7) signs and state in the finding of OR14-063 that they could not yield a reasonable return if held to the conditions allow by Village Code. The proposed signage is consistent with other Runnings Stores buildings.*

- (b) That the plight of the owner is due to unique circumstances.

*The plight of the owner is due to unique circumstances. The previous tenant at the subject property had previously been granted a Variance to allow seven (7) signs as this building is a very large tenant space with around 450 linear feet along Bell Road. Larger business may have more signage needs and the building does not have windows for the application to utilize window signage. The proposed signage is consistent with other store locations.*

- (c) That the variance, if granted, will not alter the essential character of the locality.

*True, if granted, the Variance will not alter the essential character of the locality. The previous tenant already had seven (7) wall signs on this elevation. Other than the quantity of the signs, the proposed signage meets size and design requirements for wall signs.*

2. A variance shall be recommended to the Village Board only if the evidence, in the judgment of the Plan Commission, sustains each of the three conditions enumerated in Subsection C(1).

3. For the purpose of supplementing the above standards, the Plan Commission, in making its determination, shall also take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

- (a) That the particular surroundings, shape, or topographical conditions of the specific property involved will bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations was carried out.

*The hardship in this case is tied to both the very large tenant space and the consistent sign packages for Runnings stores. The previous tenant at the subject property had previously been granted a Variance to allow seven (7) signs as this building is a very large tenant space with around 450 linear feet along Bell Road. Larger business may have more signage needs and the building does not have windows for the application to utilize window signage. The proposed signage is consistent with other store locations.*

- (b) That the conditions upon which the petition for variance is based would not be applicable, generally, to other property within the same zoning classification.

*It is possible that similar variances could be applicable to other properties in the C-3 District, but the variance request for the subject property is tied to the signage needs of Runnings, which is consistent among other store locations, and the large building size. The previous tenant was granted a variance to increase the number of signs on this elevation already.*

- (c) That the purpose of the variance is not exclusively based upon a desire to make more money out of the property.

*While signage is used to promote commercial establishments, granting the variance to increase the amount of wall signs on the eastern elevation is to allow this Runnings location to have consistent signage to other stores.*

- (d) That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.

*The applicant did not develop the property, which is characterize as having a large building with around 450 linear feet along Bell Road. The hardship in this case is tied to both the very large tenant space and the consistent sign packages for Runnings stores.*

- (e) That the granting of the variance will not be detrimental to the public welfare or unduly injurious to other property or improvements in the neighborhood in which the property is located.

*If granted, the Variance will not alter or be detrimental to the surrounding properties. The previous tenant already was permitted to install seven (7) wall signs on this elevation.*

- (f) That the exterior architectural appeal and functional plan of any proposed structure will not be so at Variance with the exterior architectural appeal and functional plan of the structures already constructed, or in the course of construction in the immediate



neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.

*The proposed signage is an attractive and is suitable for the functionality of this property. The sign is also built with durable materials which will allow for longevity of the sign.*

- (g) That the proposed variance will not impair an adequate supply of air to adjacent property, substantially increase the danger of fire, otherwise endanger the public safety or substantially diminish or impair property values within neighborhood.

*The proposed Variances will not impair an adequate supply of air to the adjacent property. Staff does not have any concerns about the sign endangering public safety. Staff does not have a professional opinion on property values.*

#### **Plan Commission Recommendation**

*Chairman Hand asked for a motion. Commissioner Foley made a motion to recommend approval of a Variance to increase the permitted number of wall signs on the east elevation from one to eight (8) for certain real property located in the C-3 General Business at 15830 S. Bell Road, Homer Glen, Illinois [HG-2403-V]. The motion was seconded by Commissioner Bugos-Komperda. A roll call vote was taken with Commissioners Bradarich, Foley, Bugos-Komperda and Chairman Hand voting in favor four (4) to zero (0). The motion passed and will go before the Village Board on March 27, 2024.*

*Chairman Hand asked for a motion. Commissioner Bradarich made a motion to adopt staff's findings as the findings of the Plan Commission. The motion was seconded by Commissioner Foley. A roll call vote was taken with Commissioners Foley, Bradarich, Bugos-Komperda and Chairman Hand voting in favor four (4) to zero (0). The motion passed and will go before the Village Board on March 27, 2024.*