



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

630-407-6700
Fax: 630-407-6702

www.dupageco.org/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: March 21, 2023

RE: **ZONING-22-000030 Sonny Acres (Wayne/ District 6)**

DuPage County Board: March 28, 2023:

Development Committee: March 21, 2023: The DuPage County Development Committee recommended to approve the following zoning relief:

Conditional Use for a banquet venue.

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition #**ZONING-22-000030 Sonny Acres** dated February 9, 2023.
2. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
3. That in conjunction with the submittal of a building permit the developer provides a landscape plan showing partial landscape screens around the perimeter of the development.
4. That as part of the Landscape Plan the owner/developer shall show a fence to be constructed on the northern border of the Subject Property to separate the subject property from the Golf Course property to the north including providing signage to indicate that the adjacent property to the north is private property and no access shall be taken to that property to the north.
5. That the Subject Property shall not be leased or utilized for any outside event on any Friday, Saturday or Sunday between October 1 and October 30 of any given year (the "Prohibited Days").

- a. That the leasing of the building or holding of outside events in the building on non-Prohibited Days between October 1 and October 30 shall not overlap by more than one hour with the hours that the remainder of the Sonny Acres Agricultural Property (FARM) is open to the public.
 - b. That the subject banquet facility shall be available for full use and operation on October 31st of any given year as the remainder of the Sonny Acres Agricultural Property (FARM) will be closed to the general public.
6. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

Zoning Board of Appeals Meeting: March 2, 2023: The Zoning Board of Appeals recommended to approve the following zoning relief:

Conditional Use for a banquet venue.

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition #**ZONING-22-000030 Sonny Acres** dated February 9, 2023.
2. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
3. That in conjunction with the submittal of a building permit the developer provides a landscape plan showing partial landscape screens around the perimeter of the development.
4. That as part of the Landscape Plan the owner/developer shall show a fence to be constructed on the northern border of the Subject Property to separate the subject property from the Golf Course property to the north including providing signage to indicate that the adjacent property to the north is private property and no access shall be taken to that property to the north.
5. That the Subject Property shall not be leased or utilized for any outside event on any Friday, Saturday or Sunday between October 1 and October 30 of any given year (the "Prohibited Days").
 - a. That the leasing of the building or holding of outside events in the building on non-Prohibited Days between October 1 and October 30 shall not overlap by more than one hour with the hours that the remainder of the Sonny Acres Agricultural Property (FARM) is open to the public.
 - b. That the subject banquet facility shall be available for full use and operation on October 31st of any given year as the remainder of the Sonny Acres Agricultural Property (FARM) will be closed to the general public.

6. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

ZBA VOTE (to Approve): 7 Ayes, 0 Nays, 0 Absent

FINDINGS OF FACT:

1. That the petitioner seeks to develop a banquet facility on a portion of the Sonny Acres Farm/ Agricultural Use property that has operated as a working farm for over 100 years.
2. That the petitioner testified that they have just recently purchased the Sonny Acres Farm property from the family that owned and operated the Sonny Acres Farm property for over 100 years and operated the farm as an active working farm and farmstand.
3. That the petitioner testified that they continue to operate the farm as an agricultural use working farm in a similar manner as the previous owners have for over 100 years.
4. That in the short time the petitioner has owned Sonny Acres Farm, patrons to the Farm have indicated the desire to have activities that complement the farm activities similar to other farm properties in the Chicagoland Area including conducting wedding and banquet facilities.
5. As such, petitioner has indicated they seek develop and new Banquet Facility on the north east portion of the Sonny Acres Farm property to complement the existing Sonny Acres Farm grounds including the Farm buildings and outside areas where crops are grown and activities which occur separate from the proposed Banquet Facility Use as well as the existing parking areas on the property that will complement the 2 uses and continue the charm and ambiance of the Sonny Acres Farm setting.
 - a. That petitioner testified that while the two uses have a symmetry, they will be located on separate zoning parcels in order to clearly distinguish between the continued use of the Sonny Acres Farm as an agricultural exempt use and the Banquet Facility as a commercial enterprise while each use taking advantage of the shared services provided on both properties.
6. That petitioner provided testimony that they will operate the Banquet Facility as a conventional banquet facility providing service not to exceed 300 patrons at any one time and include tradition activities such as weddings, fundraisers, social gatherings, charitable gatherings, celebrations, etc.
7. That petitioner submitted evidence and testimony indicating that the existing parking areas on the eastern portion of the Sonny Acres Farm property provided parking for over 400 parking spaces. That the evidence and testimony submitted by petitioners traffic consultant indicates that the existing parking facilities provide adequate parking for the banquet facility when at full capacity and as such no additional parking is required.
 - a. That petitioners traffic report indicates that during the month of October of each year Sonny Acres Farm reaches its peak usage including activities associated with Harvest Fest and Fall Festivals. As such, petitioners traffic consultant has recommended that the owner curtail its operation of the Banquet Facility during the Month of October of each year to the following:

- That the Subject Property shall not be leased or utilized for any outside event on any Friday, Saturday or Sunday between October 1 and October 30 of any given year (the “Prohibited Days”).
- That the leasing of the building or holding of outside events in the building on non-Prohibited Days between October 1 and October 30 shall not overlap by more than one hour with the hours that the remainder of the Sonny Acres Farm Property is open to the public.

STANDARDS FOR CONDITIONAL USES:

1. That the Zoning Board of Appeals finds that petitioner has demonstrated that the granting of the Conditional Use is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County’s comprehensive plan for development; and specifically, that the granting of the Conditional Use will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner has demonstrated that the proposed development will allow for Sonny Acres Farms to develop a separate standalone venue to house indoor banquet activities that complement the existing environment or the Sonny Acres Farm Property.
 - b. Increase the hazard from fire or other dangers to said property as petitioner has demonstrated that the proposed new facility will comply with all other coeds of the County including fire suppression and fire safety codes, building codes and stormwater regulations.
 - c. Diminish the value of land and buildings throughout the County as petitioner has demonstrated that the proposed development will complement the existing Sonny Acres Farm property and activities thereto.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner has demonstrated that the existing parking on the property serving the Sonny Acres Farm is adequate to accommodate the banquet facility. In addition, the development has indicated that its operations of the banquet facility will be dramatically curtailed during the month of October when the Sonny Acres Farm is at its peak activity.
 - e. Increase the potential for flood damages to adjacent property as petitioner has demonstrated that the location of proposed development will meet all County Stormwater regulations.
 - f. Incur additional public expense for flood protection, rescue or relief as petitioner has demonstrated that the proposed development will meet all other county codes including life safety, fire, building, health and stormwater regulations.
 - g. In addition, the petitioner has demonstrated that there is adequate parking and site circulation on the property with direct access to the site from a principal arterial roadway Il. Rt. 50 (North Ave)

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-22-000030 Sonny Acres	
ZONING REQUEST	Conditional Use for a banquet venue.	
OWNER	SONNY ACRES DEVELOPMENT, 175 MERCEDES DRIVE, CAROL STREAM, IL 60188 / AGENT: PHILLIP LUETKEHANS, LUETKEHANS, BRADY, GARNER & ARMSTRONG, 105 EAST IRVING PARK ROAD, ITASCA, IL 60143	
ADDRESS/LOCATION	29W310 NORTH AVENUE, WEST CHICAGO, IL 60185	
PIN	01-34-200-010, 01-34-200-012, 01-34-200-011, 01-34-102-004	
TWSP. /CTY. BD. DIST.	WAYNE	DISTRICT 6
ZONING/LUP	R-2 SF RES/ B-2 GENERAL BUSINESS	0-5 DU AC
AREA	2.94 ACRES (128,066 SQ. FT.)	
UTILITIES	WELL AND SEPTIC	
PUBLICATION DATE	Daily Herald: JANUARY 25, 2023	
PUBLIC HEARING	THURSDAY, FEBRUARY 9, 2023,	
ADDITIONAL INFORMATION:		
Building:	No Objections with the concept of the petition. Additional information may be required at time of permit application.	
DUDOT:	No Comments Received.	
Health:	No Objections with the concept of the petition. Additional information may be required at time of permit application.	
Stormwater:	No Objections with the concept of the petition. Additional information may be required at time of permit application. (See attached documentation)	
Public Works:	Our office has no jurisdiction in this matter.	
EXTERNAL:		
City of West Chicago:	No Comments Received.	
Village of Carol Stream:	“No Comment”	
Wayne Township:	No Comments Received.	
Township Highway:	No Comments Received.	
West Chicago Fire Dist.:	No Objections with the concept of the petition. Additional information may be required at time of permit application. “Advisory Information: Applicable fire protection improvements (fire sprinkler, fire protection water supply, fire access, and fire alarm) will be required by ordinance for the proposed occupancy use.”	
Sch. Dist. 25:	No Objections.	

Forest Preserve:	“The Forest Preserve District of DuPage County staff has reviewed the information provided in this notice and due to the sizable distance between the subject property and District property, we do not have any specific comments. Thank you.”
------------------	---

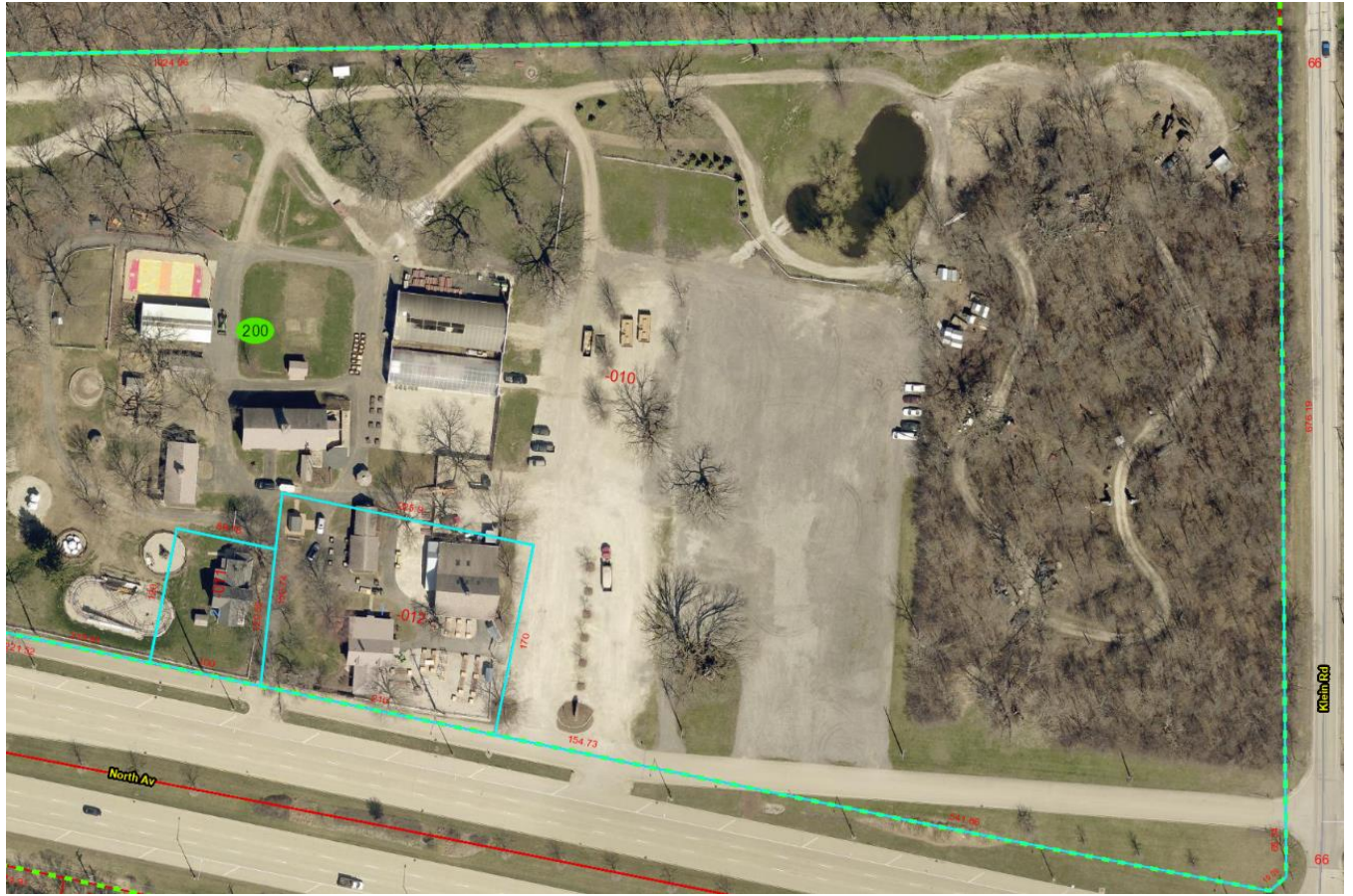
LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-2 SF RES/ B-2 GEN BUS	AGRICULTURAL EXEMPTION	0-5 DU AC
North	R-2 SF RES	GOLF COURSE	0-5 DU AC
South	NORTH AVENUE AND BEYOND CITY OF WEST CHICAGO/I-1 LIGHT INDUSTRIAL	HOUSE/INDUSTRIAL	CITY OF WEST CHICAGO
East	CITY OF WEST CHICAGO	FOREST PRESERVE	CITY OF WEST CHICAGO
West	TIMBERLINE DRIVE AND BEYOND R-3 SF RES	HOUSE	0-5 DU AC









Project Narrative

Sonny Acres Farm is a 140-year-old working farm that for decades has grown pumpkins and hosted events for the public to enjoy the farm ambiance in the suburbs. The current owners took control of the property in 2019 to avoid what appeared to be a probable change of use to a more industrial or commercial use. Among other things, Sonny Acres Farm provides entertainment and fresh farm goods for the residents of DuPage County and surrounding areas. Most of the public attendance at the site occurs in late October of each year to correspond to the Halloween holiday.

The current agricultural use is 21.48 acres, of which applicant seeks to obtain a conditional use on a 2.94 of those acres (the "Subject Property") which are being divided as part of an Assessment Plat. Applicant is seeking to add a 6000 square foot barn to hold weddings and other events for the public on the Subject Property. The maximum capacity of the new building would be 300 people, most of whom would carpool due to the type of events being proposed. The hours of operation would be 7:00 am until 1:00 am Sunday through Thursday and 7:00 am until 2:00 am on Fridays and Saturdays. Due to heavy usage annually in October, Sonny Acres is proposing a condition that it not host weddings or other events on the Subject Property that are not related to its agricultural use from October 1 through October 30 each year.¹

¹ Sonny Acres Farm is closed every year on October 31.



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

630-407-6700
Fax: 630-407-6702

www.dupageco.org/building

DU PAGE COUNTY ZONING BOARD OF APPEALS Zoning Petition ZONING-22-000030 Sonny Acres

Please review the information herein and return with your comments to:

Jessica Infelise, DuPage County Building and Zoning Department, 421 North County Farm Road, Wheaton, Illinois 60187; or via email at Jessica.Infelise@dupageco.org or via facsimile at 630-407-6702 by **February 8, 2023**.

COMMENT SECTION:

: OUR OFFICE HAS NO JURISDICTION IN THIS MATTER

: NO OBJECTION/CONCERNS WITH THE PETITION

: NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION.

☒ ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION

: I OBJECT/ HAVE CONCERNS WITH THE PETITION.

COMMENTS:

Advisory Information: Applicable fire protection improvements (fire sprinkler, fire protection water supply, fire access, and fire alarm) will be required by ordinance for the proposed occupancy use.

SIGNATURE: William R. Schultz, Fire Marshal

MUNICIPALITY/TOWNSHIP/AGENCY Chicago Fire Protection District

GENERAL ZONING CASE INFORMATION

CASE #/PETITIONER	ZONING-22-000030 Sonny Acres	
ZONING REQUEST	Conditional Use for a banquet venue.	
OWNER	SONNY ACRES DEVELOPMENT, 175 MERCEDES DRIVE, CAROL STREAM, IL 60188 / AGENT: PHILLIP LUETKEHANS, LUETKEHANS, BRADY, GARNER & ARMSTRONG, 105 EAST IRVING PARK ROAD, ITASCA, IL 60143	
ADDRESS/LOCATION	29W310 NORTH AVENUE, WEST CHICAGO, IL 60185	
PIN	01-34-200-010, 01-34-200-012, 01-34-200-011, 01-34-102-004	
TWSP./CTY. BD. DIST.	WAYNE	DISTRICT 6
ZONING/LUP	R-2 SF RES/ B-2 GENERAL BUSINESS	0-5 DU AC
AREA	2.94 ACRES (128,066 SQ. FT.)	
UTILITIES	WELL AND SEPTIC	
PUBLICATION DATE	Daily Herald: JANUARY 25, 2023	
PUBLIC HEARING	THURSDAY, FEBRUARY 9, 2023	

PLEASE NOTE: FILING OF THIS FORM DOES NOT SUBSTITUTE FOR A FORMAL OBJECTION PURSUANT TO THE ILLINOIS STATE STATUTES.

1

Sent: Saturday, February 11, 2023 12:38 PM
To: Infelise, Jessica
Subject: Zoning Petition ZONING-22-00030 Sonny Acres

[Caution: This email originated outside Dupageco.org. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

My name is Tina Willer. I live at 3N031 Timberline Drive, West Chicago and I attended your zoning board meeting on Feb 9th in regards to Sonny Acres. I did get to give my opinion but had to make it brief due to a family illness. On my way home I thought alot about what transpired and here are my additional comments.

I did state that I was not opposed to a wedding venue with conditions. To me that means mostly Fri and Sat nights in an INCLOSED facility. However I looked at their website and it ALREADY shows this. (and it has not even been approved)

Please take notice of the size of the stage. Picture below at the bottom

*** TIMES**

I believe the times proposed were from 7:00am until 1:00am Weekends AND weekdays, so basically 7 days a week with the exception of October. That is asking quite a lot from our very quiet residential neighborhood and family. We deserve the right to have peace and quiet on our own property.

***PROPERTY VALUE**

During the meeting their lawyer stated that this would not affect one's property value. I can tell you first hand that it **absolutely does**.

In April, 2021 we bought property in Tennessee and put our home up for sale. That was the year homes were selling fast. That is also the year Sonney Acres decided to do outdoor concert venues, We had a lot of showings at our home but most were on Thursdays towards the evenings due to our work schedules and that seemed to be one of the evenings they choose to do these concerts or private events. The showings went great until we went out to our yard and even though our potential buyers loved our home and property they could not get past the noise coming from the farm. Some even mentioned the carnival that goes non stop in the summer. We never got an offer. We had to sell the property we bought in TN and take our home off the market or take a huge loss on it.

***TRESSPASSING AND SECURITY ISSUES**

I have had men going into the treeline at the end of my property to relieve and in doing so exposing themselves during their events in 2021. They come from their parking site on frontage road as there is no gate or fence to prevent this, which is also a security issue. I have almost lost my dog twice due to her chasing people in the tree line.

Our house is where the arrow is pointing, the blue is our pool, The red line is the tree line that is the only thing separating us, there is no sound barrier or fence and this will be a HUGE security issue.



***PETS**

As I stated at the meeting during their outdoor events I could not get my older dog outside as he was terrified of the noise. We already deal with the noise from October and are used to that after 20 yrs but I don't want this year round.

***MEDICAL**

I have a history of Brain Aneurysms and have had many surgeries for them the last being in 2020

I had 2 stented and coiled. Due to this I am very sensitive to migraines and headaches and the noise not only affects our sleep but also my health.

IN CLOSING

I believe that Sonny Acres should provide a sound barrier fence around their property which will also provide some security.

Music should be confined to an indoor venue.

Hours of operation should be limited during the week with a 10 PM close time.

Please put your self in our shoes before you vote on thier requests.

I do not want to relive 2021 again

Tina Willer

Please take notice of the size of thier stage.

Host your next BIG EVENT at Sonny Acres Farm!

A beautiful location with endless possibilities

**for weddings, birthday parties, corporate outings, reunions,
retirement celebrations.**



Sent: Monday, February 13, 2023 12:39 PM
To: Infelise, Jessica
Subject: Re: Zoning Petition ZONING-22-00030 Sonny Acres

[Caution: This email originated outside Dupageco.org. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Hi Jessica

It looks as though this got cut off my original email to you. Please add this on for the appeals board.

Thank you so much.

Tina

NOISE

When they hold outdoor music the noise is extremely loud and rattles our windows and disturbs our sleep. We get up at 4:30 am. they state that it will end at a certain time but it does not. I had called the police many times in 2021 due to the excessive noise levels but police were not able to help because they stated that they don't have a noise desimal reader,so they would send a sheriff out. The noise would stop for about 15 min then start right back up. They need to put up a noise barrier along frontage road where their property butts up against ours and our neighbors



ARIANO HARDY RITT
NYULI RICHMOND LYTLE & GOETTEL P.C.

Lisa M. Nyuli *
Scott G. Richmond
Aaron J. Lytle **
Karsten Goettel
Taylor J. Spooner

**Fellow of the American
Academy of Matrimonial Lawyers*

***Licensed in Illinois & Wisconsin*

2000 McDONALD ROAD
SUITE 200
SOUTH ELGIN, IL 60177-3324
(847) 695-2400

Facsimile (847) 695-2401

or
E-Mail: SGR@Attorneys-Illinois.com

Huntley Office
American Community Bank & Trust
10101 North Illinois Route 47
Suite 200
PO Box 857
Huntley, IL 60142

Susan W. Rogaliner (*Of Counsel*)
Frank V. Ariano (*Retired*)
Ralph C. Hardy (*1943-2021*)
Norbert C. Ritt (*Retired*)

February 20, 2023

Mr. Robert Kartholl, Chairman
DuPage County Zoning Board of Appeals
Zoning Department
421 N. County Farm Rd.
Wheaton, IL 60187

**Re: Sonny Acres Development, 175 Mercedes Dr., Carol Stream, IL 60188
Application for Conditional Use for a banquet venue**

Dear Mr. Kartholl:

This firm represents National Golf Course Builders, Inc., the owner of Old Wayne Golf Course. This golf course borders the Sonny Acres property directly to the north of Sonny Acres and is immediately adjacent to the proposed location of the banquet venue building.

I appeared before the Zoning Board of Appeals on February 9, 2023, and I expressed the concerns of the golf course. This proposed banquet facility is close in proximity to one of the tee boxes and one of the greens. As you are aware, the golf course is concerned about (1) the potential for excessive noise/music from events at the venue and (2) security.

The golf course operates from April through November each year and golfers are on the course from 6:00 a.m. to 6:00 p.m. The concern is that live bands or DJs playing music will be playing the music loudly and will disrupt the golfers on the course either teeing off or attempting to putt on the greens. Evening events that start after 6:00 p.m. are not a significant concern for the golf course. However, in their presentation, Sonny Acres indicated that there will be outdoor weddings and did not indicate whether the venue will have soundproofing in the building installed. Old Wayne golf course asks that as a requirement of granting the zoning request, the Board mandate that no live bands or DJs will operate outside of the banquet building for events, and that the building have some soundproofing installed or there is a requirement that the doors to the building be closed at all times prior to 6 p.m. when music is being played during both weekdays and weekends.

Re: Sonny Acres banquet venue proposal

February 20, 2023

Page 2

Second, there is a concern regarding venue attendees migrating onto the golf course at night. There is presently no fence between the properties and while there are trees, these are not a deterrent to people walking onto the golf course. When Sonny Acres operates its fall festivals, this is not typically a problem as parents tend to keep track of their children. The concern is when wedding events are taking place and there exists the possibility that overserved adults will migrate onto the golf course. My client is concerned that this presents the opportunity for injuries or property damage. My client is therefore requesting that the Board require either a fence between the properties or that the banquet facility be required to provide security during evening events.

Should you need further information regarding these matters, please contact me. National Golf Course Builders does not oppose the banquet venue as a whole, but its concerns as outlined herein should be addressed.

Very truly yours,

A black rectangular redaction box covering the signature of Scott G. Richmond.

Scott G. Richmond, Esq.

SGR/os

cc: Dale Nissen
Aaron Lytle, Esq.