



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: April 7, 2026

RE: **ZONING-26-000004 McClintock (Downers Grove/District 3)**

DuPage County Board: April 14, 2026:

Development Committee: April 7, 2026: The DuPage County Development Committee recommended to approve the following zoning relief:

1. Conditional Use to allow an existing chicken coop and chicken run to remain less than 25 feet from the interior side property (approximately 8 feet), where it has existed for at least 5 years.
2. Conditional Use to allow an existing chicken run (fencing) to be over 6'6" tall (approximately 8 feet in some locations), where it has existed for at least 5 years.

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-26-000004 McClintock** dated March 4, 2026.
2. That the Conditional Use zoning relief shall expire after ten (10) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
 - a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
 - b. The structure is voluntarily removed.
3. That there shall be no retail sales of chicken eggs or chicken byproducts on the subject property.

4. That petitioner maintains the existing landscaping around the perimeter of the subject property.
5. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
6. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

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

Zoning Hearing Officer: March 18, 2026: The Zoning Hearing Office recommended to approve the following zoning relief:

1. Conditional Use to allow an existing chicken coop and chicken run to remain less than 25 feet from the interior side property (approximately 8 feet), where it has existed for at least 5 years.
2. Conditional Use to allow an existing chicken run (fencing) to be over 6'6" tall (approximately 8 feet in some locations), where it has existed for at least 5 years.

Subject to the following conditions:

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 - b. The structure is voluntarily removed.
3. That there shall be no retail sales of chicken eggs or chicken byproducts on the subject property.
4. That petitioner maintains the existing landscaping around the perimeter of the subject property.
5. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
6. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

ZHO Recommendation to Approve

FINDINGS OF FACT:

- A. That petitioner testified that the subject zoning relief is for a Conditional Use to allow an existing chicken coop and chicken run to remain less than 25 feet from the interior side property (approximately 8 feet), where it has existed for at least 5 years and a Conditional Use to allow an existing chicken run (fencing) to be over 6'6" tall (approximately 8 feet in some locations), where it has existed for at least 5 years.
- B. That petitioner testified that the subject chicken coop and chicken run have existed on the property since 2020.
- C. That petitioner testified that the existing chicken coop is located next to an existing shed and that the existing chicken run is located around the chicken coop.
- D. That petitioner testified that the existing chicken coop is low-profile and that the fencing is open/at least 50% open.
- E. That petitioner testified that they have five (5) chickens/hens and no roosters.
- F. That petitioner testified that they do not have any visitors for the chicken coop, that the keeping of chickens and chicken eggs are only for the occupants of the household.
- G. That petitioner testified that they do not sell the eggs from their chickens.
- H. That the Zoning Hearing Officer finds that petitioner has presented sufficient evidence to satisfy the Standards for a Conditional Use to allow an existing chicken coop and chicken run to remain less than 25 feet from the interior side property (approximately 8 feet), where it has existed for at least 5 years and a Conditional Use to allow an existing chicken run (fencing) to be over 6'6" tall (approximately 8 feet in some locations), where it has existed for at least 5 years.
- I. That the Zoning Hearing Officer further finds that the existing chicken coop and run does not adversely impact adjacent properties or roadways, does not negatively affect drainage patterns in the area, and does not impede adequate light or ventilation to the subject property or neighboring properties.
- J. In addition, the Zoning Hearing Officer finds that the principal issue is whether the infringement of setback and height requirements creates a nuisance, and notes that two neighboring property owners provided evidence in support of the request, indicating that no such nuisance exists.

STANDARDS FOR CONDITIONAL USES:

- 1. That the Zoning Hearing Officer 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 existing chicken and coop is low-profiles with open fencing and does not impact or impair the supply of light and air to adjacent properties.
 - b. Increase the hazard from fire or other dangers to said property as petitioner has demonstrated that they will receive a building permit from the County for the existing chicken and coop.

- c. Diminish the value of land and buildings throughout the County as petitioner has demonstrated that the existing chicken and coop does not diminish the value of land throughout the County.
- d. Unduly increase traffic congestion in the public streets and highways as petitioner has demonstrated that the existing chicken and coop is located behind the front wall of the home and does not impact traffic congestion in the public streets and highways.
- e. Increase the potential for flood damages to adjacent property as petitioner has demonstrated that the existing chicken and coop has not increased the potential for flood damages to the adjacent property.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner has demonstrated that the existing chicken and coop does not incur additional public expense for flood protection, rescue, or relief.
- g. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County as petitioner has demonstrated that the existing chicken and coop does not have any impact on adjacent properties and roadways, does not impact on drainage, and does not impede ventilation and light to the subject property or adjacent properties.

GENERAL ZONING CASE INFORMATION

CASE #/PETITIONER: ZONING-26-000004 McClintock

ZONING REQUEST:

1. Conditional Use to allow an existing chicken coop and chicken run to remain less than 25 feet from the interior side property (approximately 8 feet), where it has existed for at least 5 years.
2. Conditional Use to allow an existing chicken run (fencing) to be over 6'6" tall (approximately 8 feet in some locations), where it has existed for at least 5 years.

OWNER: KERRI MCCLINTOCK, 17W214 HILLSIDE LANE, HINSDALE, IL 60521

ADDRESS/LOCATION: 17W214 HILLSIDE LANE, HINSDALE, IL 60521

PIN: 10-03-201-024

TWSP./CTY. BD. DIST.: DOWNERS GROVE / DISTRICT 3

ZONING/LUP: R-3 SINGLE FAMILY RESIDENTIAL / 0-5 DU AC

AREA: 0.94 ACRES (40,946 SQ. FT.)

UTILITIES: WATER / SEWER

PUBLICATION DATE: DAILY HERALD: FEBRUARY 16, 2026

PUBLIC HEARING: MARCH 4, 2026

ADDITIONAL INFORMATION:

Building: No objections or concerns with the petition.

DUDOT: Our office has no jurisdiction in this matter.

Health: *No Comments Received.*

Stormwater: No objections or concerns with the petition.

Public Works: "DPC Public Works owns sewer and water mains on Hillside Lane. They should not be affected by the proposed zoning request."

EXTERNAL:

City of Darien: *No Comments Received.*

Village of Willowbrook: *No Comments Received.*

Village of Burr Ridge: *No Comments Received.*

Downers Grove Township: *No Comments Received.*

Township Highway: *No Comments Received.*

Tri-State Fire Dist.: No objections or concerns with the petition.

Sch. Dist. 63: *No Comments Received.*

Sch. Dist. 86: No objections or concerns with the petition.

Forest Preserve: “We do not have any comments.”

GENERAL BULK REQUIREMENTS

- **Interior Side Yard**
 - Required: 25 FEET
 - Existing: APPROX. 8 FEET
 - Proposed: APPROX. 8 FEET

LAND USE

Subject Property:

- **Zoning:** R-3 SF RES / **Existing Use:** HOUSE / **Land Use Plan (LUP):** 0-5 DU AC

North of Subject Property:

- **Zoning:** R-3 SF RES / **Existing Use:** HOUSE / **Land Use Plan (LUP):** 0-5 DU AC

South of Subject Property:

- **Zoning:** HILLSIDE LANE AND BEYOND R-3 SF RES / **Existing Use:** HOUSE / **Land Use Plan (LUP):** 0-5 DU AC

East of Subject Property:

- **Zoning:** R-3 SF RES / **Existing Use:** HOUSE / **Land Use Plan (LUP):** 0-5 DU AC

West of Subject Property:

- **Zoning:** R-3 SF RES / **Existing Use:** HOUSE / **Land Use Plan (LUP):** 0-5 DU AC