

BEFORE THE DU PAGE COUNTY
ZONING BOARD OF APPEALS

Conditional use for a planned) Z25-054
Development with exceptions.) Szakiel

September 18, 2025

6:00 p.m.

PROCEEDINGS HAD and testimony

taken before the DU PAGE COUNTY ZONING BOARD
OF APPEALS, taken at the DuPage County
Administration Building, 421 North County
Farm Road, Wheaton, Illinois, before LINDA M
CIOSEK, C.S.R. a Notary Public qualified and
commissioned for the State of Illinois.

BOARD MEMBERS PRESENT:

MR. ROBERT KARTHOLL, Chairman.

MR. DENNIS MORAN, Commissioner, via
Zoom.

MR. JACK MURPHY, Commissioner.

MR. CARL SCHULTZ, Commissioner.

MR. ZAIN RAHMAN, Commissioner, via
Zoom.

MR. JAMES JAROG, Commissioner.

<p>1 ALSO PRESENT: 2 MR. PAUL HOSS, Zoning & Planning 3 Administration Coordinator. 4 MS. ASHLYN KIRBY, Zoning & Planning.</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	Page 2	Page 4
<p>1 EXHIBITS</p> <p>2</p> <p>3 Marked & Received</p> <p>4 Petitioner's Exhibit 1 9</p> <p>5 Petitioner's Exhibit 2 9</p> <p>6 Petitioner's Exhibit 3 9</p> <p>7 Petitioner's Exhibit 4 10</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	Page 3	Page 5

<p>1 to hold on a zoning petition, that we have no 2 minutes to approve, so I will call Petition 3 25-054, the Szakiel petition.</p> <p>4 This is a conditional use 5 for a planned development for a three-lot 6 subdivision in R-1 Single Family Residence 7 District with the following exceptions: 8 Exception A is to reduce the required lot 9 size for three proposed lots from the 10 required 100,000 square feet to approximately 11 74,567 feet for proposed Lot 1; 40,181 square 12 feet for proposed Lot 2; and approximately 13 46,823 for proposed Lot 3.</p> <p>14 Next, an exception to 15 reduce the required lot width for three 16 proposed lots from the required 165 feet to 17 approximately 120 feet wide for proposed Lot 18 1, approximately 119.97 for proposed Lot 2, 19 and 139.97 feet for proposed Lot 3. This 20 matter was -- we have a 3.7 acre site 21 serviced by well and septic. This matter was 22 published in the Daily Herald on September 3, 23 2025.</p> <p>24 And there are comments</p>	<p>Page 6</p> <p>1 CHAIRMAN KARTHOLL: Could we have 2 everybody that's going to testify be sworn 3 in.</p> <p>4 (Whereupon, the oath was 5 duly administered by the 6 Notary.)</p> <p>7 MR. STANEK: Okay, we have some 8 exhibits. I need to get one signature from 9 Agnes on that authorization.</p> <p>10 CHAIRMAN KARTHOLL: Can we have a 11 survey as Exhibit 1 and a site plan as 12 Exhibit 2?</p> <p>13 MR. STANEK: Yes. Here's a survey 14 Exhibit 1. I brought two copies of the site 15 plan, one that has the wetland boundary 16 highlighted along with the wetland buffer 17 zone highlighted, and then another copy 18 that's just plain. So we'll --</p> <p>19 CHAIRMAN KARTHOLL: We'll just take -- 20 we can't have two Exhibit 2s.</p> <p>21 MR. STANEK: Okay.</p> <p>22 CHAIRMAN KARTHOLL: We'll take -- do 23 you want to give us the highlighted one?</p> <p>24 MR. STANEK: I'll give you the</p>
<p>1 proposed by Stormwater, but otherwise no 2 objections from any of the authorities to 3 whom -- or no comments from any of the 4 authorities to whom we've circulated the 5 petition, which includes departments of the 6 County and neighboring taxing municipal 7 entities.</p> <p>8 And, I guess I don't know 9 what the exhibits are because I don't have 10 separate exhibits, but we'll let the 11 petitioner introduce them. We started to 12 hear this matter previously, I don't recall 13 the date, but we'll adopt the record that we 14 commenced as part of this record and include 15 the statements that were made preliminarily 16 at our last public hearing of this case.</p> <p>17 With that, I'll call the 18 petitioner's attorney.</p> <p>19 MR. STANEK: Thank you, members of the 20 committee. Thank you for hearing us tonight. 21 My name is John Stanek, I'm representing 22 Piotr Szakiel and his wife Agnes. They're 23 the owners of the property in question at 24 1S120 Indian Knoll Road.</p>	<p>Page 7</p> <p>1 highlighted.</p> <p>2 CHAIRMAN KARTHOLL: We'll take that as 3 Exhibit 2.</p> <p>4 (Whereupon, Petitioner's 5 Exhibits 1 and 2 were 6 marked and admitted into 7 the record.)</p> <p>8 MR. STANEK: Exhibit 3 we have an 9 authorization for me to act on behalf of the 10 owners of the property.</p> <p>11 CHAIRMAN KARTHOLL: Okay.</p> <p>12 MR. STANEK: Exhibit 4 we have a copy 13 of the tax bill indicating that they are the 14 taxpayers.</p> <p>15 CHAIRMAN KARTHOLL: We don't need 16 that.</p> <p>17 MR. STANEK: It indicated.</p> <p>18 CHAIRMAN KARTHOLL: That's a part of 19 the record, but it's not a hearing exhibit.</p> <p>20 MR. STANEK: Okay, wonderful. Okay.</p> <p>21 (Whereupon, Petitioner's 22 Exhibits 3 was marked and 23 admitted into 24 the record.)</p>

<p>1 MR. STANEK: As noted, this is a 2 request for conditional use with some 3 exceptions. To support our cause, I have an 4 additional exhibit here which shows the 5 surrounding zoning. Our parcel is in the 6 middle. We are currently zoned R-2. All of 7 the surrounding properties -- we have -- 8 excuse me.</p> <p>9 CHAIRMAN KARTHOLL: Is that 4 now?</p> <p>10 MR. STANEK: This would be Exhibit 4, 11 yes.</p> <p>12 CHAIRMAN KARTHOLL: Do you have any 13 other exhibits?</p> <p>14 MR. STANEK: No.</p> <p>15 CHAIRMAN KARTHOLL: Okay.</p> <p>16 (Whereupon, Petitioner's 17 Exhibit 4 was marked and 18 admitted into 19 the record.)</p> <p>20 MR. STANEK: This shows the Woods of 21 Cantigny to the east, that is all zoned R-1. 22 All of the surrounding area in yellow is 23 zoned R-1, and then we have Trillium Farms to 24 the west of us which is a subdivision that</p>	Page 10	<p>1 two parcels, one would be for Piotr and his 2 wife, and the other is for their daughter who 3 is currently a medical student up in 4 Milwaukee, Wisconsin.</p> <p>5 MR. SZAKIEL: She's doing her 6 residency.</p> <p>7 MR. STANEK: She's in residence at the 8 Milwaukee Hospital working toward her M.D. 9 degree.</p> <p>10 CHAIRMAN KARTHOLL: And how do you 11 know she's coming back here to practice?</p> <p>12 MR. STANEK: Because she has said that 13 she wants to live on the property with her 14 parents.</p> <p>15 CHAIRMAN KARTHOLL: So, it's a 16 conditional use, so should we include -- if 17 this passes, we'll include a condition that 18 these three families live here in perpetuity?</p> <p>19 MR. STANEK: Not in perpetuity, sir.</p> <p>20 CHAIRMAN KARTHOLL: So it's just a 21 whim of the moment to excuse what you're 22 requesting?</p> <p>23 MR. STANEK: Well, it was the reason 24 that they acquired the property a couple</p>	Page 12
<p>1 was rezoned as a planned unit development 2 with lot sizes of about two-tenths of an acre 3 on average.</p> <p>4 CHAIRMAN KARTHOLL: Within the Village 5 of Wheaton?</p> <p>6 MR. STANEK: That is within the 7 Village of West Chicago, or City of West 8 Chicago.</p> <p>9 MR. SZAKIEL: Cantigny is Wheaton.</p> <p>10 MR. STANEK: No, we're talking about 11 Trillium Farms.</p> <p>12 So what we believe that 13 exhibit illustrates is that all the 14 surrounding areas are zoned more dense than 15 our R-1 Zoning, which requires two acre 16 minimum, and that the trend in the area has 17 been to smaller and smaller sized lots for 18 residential use.</p> <p>19 Our proposal is to build 20 three single-family homes on the parcel for 21 use by the family. We have the son Adrian is 22 living there now. Adrian is a Plainfield 23 fireman and he took residence into the 24 existing home after rehabbing it. The other</p>	Page 11	<p>1 years ago and the fact that the son has put 2 in a lot of sweat equity rehabbing the 3 existing home that's there I think 4 illustrates their bona fides.</p> <p>5 CHAIRMAN KARTHOLL: Okay.</p> <p>6 MR. STANEK: As far as the LaSalle 7 Factors, we're asking to add two residences 8 to the property. There will be minimal 9 impact on the supply of light and air to 10 adjacent properties. Each parcel is going to 11 be a little bit less than one acre, except 12 for parcel No. 1 which is almost an acre and 13 three-quarters. We have taken into account 14 the wetlands that are there and have them 15 identified. We talked with Stormwater and 16 they said that their concerns would be better 17 addressed at the point and time permits were 18 requested for building. They will, at that 19 point in time, dictate what type of septic 20 systems are required for the properties.</p> <p>21 There won't be any 22 increase in hazard from fire or other dangers 23 as a result of the additional of only two 24 homes.</p>	Page 13

<p>1 The value of buildings in 2 the vicinity won't be diminished. In fact, I 3 think with the addition of new construction 4 there it will actually enhance the value of 5 the locale.</p> <p>6 The addition of six 7 residents, or thereabout to the area, will 8 not impact traffic unduly.</p> <p>9 As a result of the wetland 10 identification compliance with Stormwater 11 management, there shouldn't be any increase 12 in the flood risk, and there's no increase in 13 public expense for fire protection.</p> <p>14 The approval of our 15 request won't impair public health, safety, 16 comforts, morals or the general welfare of 17 the residents of DuPage County, nor will it 18 create a nuisance.</p> <p>19 In fact, since the 20 petitioners acquired the property, the County 21 has enjoyed a peaceful and harmonious 22 existence. Prior to their ownership, this 23 property was nothing but headaches for the 24 County. We had unauthorized activity,</p>	Page 14	<p>1 questions.</p> <p>2 MR. STANEK: Okay.</p> <p>3 CHAIRMAN KARTHOLL: Does anyone have 4 any questions?</p> <p>5 COMMISSIONER MURPHY: Yeah.</p> <p>6 COMMISSIONER MORAN: I do.</p> <p>7 CHAIRMAN KARTHOLL: Who does?</p> <p>8 COMMISSIONER MORAN: Dennis Moran.</p> <p>9 CHAIRMAN KARTHOLL: Go right ahead.</p> <p>10 COMMISSIONER MORAN: I just want to 11 clarify what you had just finished up saying 12 about the -- that was the previous owner?</p> <p>13 MR. STANEK: Yes, previous owner.</p> <p>14 COMMISSIONER MORAN: All the issues on 15 the land?</p> <p>16 MR. STANEK: Absolutely.</p> <p>17 COMMISSIONER MORAN: And then you had 18 mentioned that they had cleaned up 19 everything?</p> <p>20 MR. STANEK: My clients cleaned 21 everything up in order to take residence with 22 their son.</p> <p>23 COMMISSIONER MORAN: Okay, that was my 24 only question. Thank you.</p>	Page 16
<p>1 unauthorized residents. They had junk 2 automobiles and lawn equipment parked on the 3 property forever and ever before our 4 ownership, and I believe that there was a 5 history of fires on the property burning 6 landscape rubbish, et cetera, et cetera.</p> <p>7 As I said before, the 8 trend in the area is development of smaller 9 parcels, so we fit in with our request with 10 the surrounding parcels that are there as 11 well as the trends in the area.</p> <p>12 Trillium Farms I guess is 13 the most different development in the area. 14 As I said, those lots average about two- 15 tenths of an acre per. And while that is in 16 West Chicago, originally it was part of 17 DuPage County before it got annexed in.</p> <p>18 I guess we would like to 19 open it up for any questions that you may 20 have.</p> <p>21 CHAIRMAN KARTHOLL: That's your 22 presentation?</p> <p>23 MR. STANEK: Yes, sir.</p> <p>24 CHAIRMAN KARTHOLL: Okay, I have no</p>	Page 15	<p>1 MR. STANEK: You're welcome.</p> <p>2 COMMISSIONER MURPHY: Can we put a 3 restriction on that these lots will only be 4 used by the family?</p> <p>5 CHAIRMAN KARTHOLL: We can put any 6 restriction on we want.</p> <p>7 COMMISSIONER MURPHY: Okay, thank you.</p> <p>8 CHAIRMAN KARTHOLL: Okay. Well, if 9 there are no other questions from the Board, 10 who are you, sir? Are you a neighbor?</p> <p>11 MR. PERCHA: Yes, I live nextdoor.</p> <p>12 CHAIRMAN KARTHOLL: Do you want to 13 make a statement or ask a question about this 14 case?</p> <p>15 MR. PERCHA: Yes, because I bought the 16 house.</p> <p>17 CHAIRMAN KARTHOLL: Just yes or no.</p> <p>18 MR. PERCHA: Yes, I do.</p> <p>19 CHAIRMAN KARTHOLL: Then could you 20 raise your hand and be sworn in.</p> <p>21 (Whereupon, the oath was 22 duly administered by the 23 Notary.)</p> <p>24 CHAIRMAN KARTHOLL: Tell us your name</p>	Page 17

<p>1 and spell your last name. 2 MR. PERCHA: My name is Felix Percha, 3 P-e-r-c-h-a. 4 THE COURT REPORTER: Can you spell 5 your first name, too, please. 6 MR. PERCHA: Felix, F-e-l-i-x. 7 CHAIRMAN KARTHOLL: And your -- where 8 do you live, sir? 9 MR. PERCHA: I live at 1080 in the 10 house. 11 CHAIRMAN KARTHOLL: 1080 what? 12 MR. PERCHA: 1 South 08. 13 CHAIRMAN KARTHOLL: How about is it 14 Indian Knoll Road? 15 MR. PERCHA: Yes, Indian Knoll Road. 16 I'm next door to the land they want to do. 17 CHAIRMAN KARTHOLL: Do you want to 18 make a statement in support of this petition 19 or in opposition to this petition? 20 MR. STANEK: Well, my question is the 21 reason I bought the house back in March is 22 when I went there with my realtor, I look at 23 the lot, it's a little over one acre, the 24 house sits in the middle of the acre and I</p>	Page 18	<p>1 CHAIRMAN KARTHOLL: Okay. All right. 2 Thank you. 3 I guess there is no 4 further questions. Do you have a concluding 5 statement, sir? 6 MR. STANEK: Okay, the Szakiel family 7 had purchased this property with the 8 intention of developing it for a family-type 9 compound. They have already taken major 10 steps in the cleanup of the existing property 11 as it was when they acquired it and have put 12 their son in residence on the property. 13 Before they can move forward with any of 14 their plans, they need to get the conditional 15 use and exceptions approved so that they're 16 able to develop two more lots on the 17 property, and at that point in time they 18 would be able to submit their request for 19 building permits for the homes. 20 The daughter's relocation 21 from Milwaukee is probably a year or two down 22 the line so we're not going to be in a 23 situation where we're building two houses 24 slap dash right away.</p>	Page 20
<p>1 got nobody around and it's just like I don't 2 know if it would be okay to have more houses 3 there because it will be more cars coming to 4 the street. Right now I believe there is 5 only like four houses on the whole street and 6 having more houses it will create more noise, 7 more traffic. 8 And in the back of my yard 9 there's a lot of wet land, so if you build 10 more houses that water is going to look a way 11 to go. 12 CHAIRMAN KARTHOLL: Is water a 13 problem? 14 MR. PERCHA: Yeah, I have a lot of 15 water problems in my house. The front yard 16 is always -- my brothers call it a swamp. 17 CHAIRMAN KARTHOLL: Okay. So just for 18 the record, you oppose this request? 19 MR. PERCHA: I would like to hear 20 more. 21 CHAIRMAN KARTHOLL: Well, you've heard 22 all that he has to say. 23 MR. PERCHA: Yeah, for the moment I 24 oppose.</p>	Page 19	<p>1 I guess the other thing I 2 would say is Piotr is an accomplished general 3 contractor. He has already done two homes, 4 one that he's currently living in in Geneva, 5 the other one was in Wheaton, which were 6 ground-up rehabs. 7 MR. SZAKIEL: And a few other smaller 8 projects. 9 MR. STANEK: Right, but those were the 10 two main general contractor projects. 11 So we would respectfully 12 request your consideration, and thank you for 13 your time tonight. 14 CHAIRMAN KARTHOLL: All right. Thank 15 you, sir. 16 What's our recommendation 17 date, the 3rd? 18 MS. KIRBY: I believe it is the 19 October 2nd meeting. 20 CHAIRMAN KARTHOLL: 2nd? Okay, we 21 will -- so that is a Thursday or are we in 22 the Wednesday -- 23 MS. KIRBY: It's a Thursday. 24 CHAIRMAN KARTHOLL: Okay. So, we'll</p>	Page 21

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