



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

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MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: April 16, 2024

RE: **ZONING-24-000010 CHICAGO TITLE TR800239101
(Winfield / District 6)**

DuPage County Board: April 23, 2024:

DuPage County Development Committee: April 16, 2024: The DuPage County Development Committee recommended to approve the following zoning relief:

Conditional Use for a Principal Recreational Use in the R-2 Zoning District to allow for a 2,112 square foot timber frame barn with horse stables to be built for the owner's horses.

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-24-000010 CHICAGO TITLE TR800239101** dated March 13, 2024.
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 the Conditional Use shall inure only to the owner, CHICAGO TITLE TR800239101 and/or ERIC HEZINGER, and shall terminate in the event that the owner, or any entity owned or controlled by CHICAGO TITLE TR800239101 and/or ERIC HEZINGER discontinues operation of the subject Conditional Use on the subject property.
4. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
5. That petitioner maintains the existing landscaping around the perimeter of the subject property.
6. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

Development Committee VOTE (to Approve): 4 Ayes, 0 Nays, 2 Absent

Zoning Hearing Officer: March 13, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

Conditional Use for a Principal Recreational Use in the R-2 Zoning District to allow for a 2,112 square foot timber frame barn with horse stables to be built for the owner's horses.

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-24-00010 CHICAGO TITLE TR800239101 dated March 13, 2024.
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 the Conditional Use shall inure only to the owner, CHICAGO TITLE TR800239101 and/or ERIC HEZINGER, and shall terminate in the event that the owner, or any entity owned or controlled by CHICAGO TITLE TR800239101 and/or ERIC HEZINGER discontinues operation of the subject Conditional Use on the subject property.

4. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
5. That petitioner maintains the existing landscaping around the perimeter of the subject 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 proposed zoning relief is to allow a Conditional Use for a Principal Recreational Use in the R-2 Zoning District to allow for a 2,112 square foot timber frame barn with horse stables to be built for the owner's horses.
- B. That petitioner testified that he currently lives five (5) minutes away and that the subject property would be used to store and exercise his four (4) personal horses until he is able to build a house on the subject property.
- C. That petitioner testified the subject area is surrounded by Galusha Farm and is an equestrian area.
- D. That petitioner testified that he plans to build a house on the subject property and that until the home is completed, the subject property will be principally used as a recreational use to store petitioner's personal horses in a horse stable that he will visit daily.
- E. That Hearing Officer finds that petitioner has demonstrated that the subject zoning relief to allow a Conditional Use for a Principal Recreational Use in the R-2 Zoning District to allow for a 2,112 square foot timber frame barn with horse stables to be built for the owner's horses will not have any impact on adjacent properties and roadways, will not impact on drainage, and will not impede ventilation and light to the subject property or adjacent properties.

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 proposed recreational use will 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 proposed horse stable and that it will be constructed pursuant to the current DuPage County building codes.
- c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed recreational use will not diminish the value of land and buildings throughout the County.
- d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the proposed recreational use will not unduly increase traffic congestion in the public streets and highways as the proposed recreational use and horses will be for the personal use of the property owner.
- e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the County's Stormwater Department has no objections to the proposed recreational use.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the County's Stormwater Department has no objections to the proposed recreational use.
- g. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County as petitioner **has demonstrated** that the proposed recreational use will 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.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-24-000010 CHICAGO TITLE TR800239101
ZONING REQUEST	Conditional Use for a Principal Recreational Use in the R-2 Zoning District to allow for a 2,112 square foot timber frame barn with horse stables to be built for the owner's horses.
OWNER	CHICAGO TITLE TR800239101, 3S346 HERRICK ROAD, WARRENVILLE, IL 60555 / CHICAGO TITLE TR800239101, 22W320 GLEN VALLEY DRIVE, GLEN ELLYN, IL 60137
ADDRESS/LOCATION	3S346 HERRICK ROAD, WARRENVILLE, IL 60555
PIN	04-36-202-030 / 04-36-202-029 / 04-36-202-031
TWSP./CTY. BD. DIST.	WINFIELD DISTRICT 6
ZONING/LUP	R-2 SF RES 0-5 DU AC
AREA	4.8 ACRES (210,525 SQ. FT.)
UTILITIES	WELL / SEPTIC
PUBLICATION DATE	Daily Herald: FEBRUARY 27, 2024
PUBLIC HEARING	WEDNESDAY, MARCH 13, 2024
ADDITIONAL INFORMATION:	
Building:	No Objections.
DUDOT:	<i>No Comments Received.</i>
Health:	No Objections.
Stormwater:	No Objection with the concept of the petition. Additional information may be required at time of permit application.
Public Works:	Our office has no jurisdiction in this matter.
EXTERNAL:	
City of Warrenville:	<i>No Comments Received.</i>
City of Naperville:	<i>No Comments Received.</i>
City of Wheaton:	<i>No Comments Received.</i>
Winfield Township:	<i>No Comments Received.</i>
Township Highway:	Our office has no jurisdiction in this matter.
Warrenville Fire Dist.:	<i>No Comments Received.</i>
Sch. Dist. 200:	<i>No Comments Received.</i>
Forest Preserve:	"The Forest Preserve District of DuPage County staff has reviewed the information provided in this notice and due the sizable distance between the subject property and the District property, we do not have any specific comments. Thank you."

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-2 SF RES	VACANT	0-5 DU AC
North	R-2 SF RES	HOUSE	0-5 DU AC
South	R-2 SF RES	HOUSE	0-5 DU AC
East	HERRICK DRIVE AND BEYOND R-2 SF RES	HOUSE	0-5 DU AC
West	VILLAGE OF WARRENVILLE	HOUSE	VILLAGE OF WARRENVILLE



