



**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: September 17, 2024

RE: **ZONING-24-000058 Mies (Lisle/District 2)**

DuPage County Board: September 24, 2024:

Development Committee: September 17, 2024: The DuPage County Development Committee recommended to approve the following zoning relief:

Variation to reduce the corner side setback from required 30 feet to approximately 12.08 feet. for a one-story, three car garage addition and interior renovation project.

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-24-000058 Mies** dated August 14, 2024
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 the property be developed in accordance with all other codes and Ordinances of DuPage County.

Development Committee VOTE (to Approve): 6 Ayes, 0 Nays, 0 Absent

Zoning Hearing Officer: August 14, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to reduce the corner side setback from required 30 feet to approximately 12.08 feet. for a one-story, three car garage addition and interior renovation project.

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-24-000058 Mies dated August 14, 2024
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 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 to reduce the corner side setback from required 30 feet to approximately 12.08 feet. for a one-story, three car garage addition and interior renovation project.
- B. That petitioner testified that the existing home is bilevel, with no main-level family room, and that the proposed zoning relief would allow for the expansion of the existing kitchen/dining and family room into the existing three (3) car garage area, by constructing a new three (car) garage onto the front of the existing home.
 - a. Furthermore, that petitioner testified that the new design would allow for a family room, powder room, and mudroom to be located on the main level of the existing house.
- C. That petitioner testified that the existing home was originally constructed 12.08 feet from the corner side property line.
- D. That petitioner testified that the proposed addition would not encroach further into the corner side yard setback than the existing attached garage/residence (which is located at 12.08 feet from the corner side property line) and will not go any further into the front yard than the existing residence does.
- E. That the Zoning Hearing Officer finds that petitioner has demonstrated sufficient evidence for a practical difficulty and particular hardship, as petitioner indicated that the existing home was originally constructed 12.08 feet from the corner side property line, and that in order to build an addition onto the existing bilevel home, the proposed addition would be less than 30 feet from the corner side property line (approximately 12.08 feet) due to the layout of the subject

home on the property and would follow the existing home building lines and architectural integrity.

STANDARDS FOR VARIATIONS:

1. That the Zoning Hearing Officer finds that petitioner **has demonstrated** that the granting of the Variation 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.
2. That the Zoning Hearing Officer finds that petitioner **has demonstrated** the granting of the Variation will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has demonstrated** that the proposed house addition will follow the existing house setbacks and therefore, will not impair an adequate supply of light and air to the 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 for the proposed house addition, and that it will be built pursuant to the current building codes.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed house addition will be an added benefit to the neighborhood and 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 house addition will not unduly increase traffic congestion in the public streets and highways.
 - e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the proposed house addition will not increase the potential for flood damages to adjacent property.
 - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the proposed house addition will 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 proposed house addition will not impair the public health, safety, comfort, morals, or general welfare and will be an added benefit to the neighborhood.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-24-000058 Mies
ZONING REQUEST	Variation to reduce the corner side setback from required 30 feet to approximately 12.08 feet. for a one-story, three car garage addition and interior renovation project.
OWNER	SCOTT AND BARBARA MIES, 25W151 LACEY AVENUE, NAPERVILLE, IL 60563 / AGENT: DAN ROBERTS, ROBERTS DESIGN & BUILD, 5105 DEWITT LANE, DOWNERS GROVE, IL 60515
ADDRESS/LOCATION	25W151 LACEY AVENUE, NAPERVILLE, IL 60563
PIN	08-05-408-012
TWSP./CTY. BD. DIST.	LISLE DISTRICT 2
ZONING/LUP	R-3 SF RES 0-5 DU AC
AREA	0.56 ACRES (24,394 SQ. FT.)
UTILITIES	WELL/SEPTIC
PUBLICATION DATE	Daily Herald: JULY 30, 2024
PUBLIC HEARING	WEDNESDAY, AUGUST 14, 2024
<u>ADDITIONAL INFORMATION:</u>	
Building:	No Objections.
DUDOT:	Our office has no jurisdiction in this matter.
Health:	<i>No Comments Received.</i>
Stormwater:	No Objections with the concept of the petition. Additional information may be required at time of permit application.
Public Works:	“DPC PW doesn’t own any sewer or water in the area.”
EXTERNAL:	
City of Naperville:	<i>No Comments Received.</i>
City of Wheaton:	<i>No Comments Received.</i>
Village of Lisle:	<i>No Comments Received.</i>
Lisle Township:	<i>No Comments Received.</i>
Township Highway:	No Objections.
Lisle-Woodridge Fire Dist.:	“N/A”
Sch. Dist. 203:	<i>No Comments Received.</i>
Forest Preserve:	“The Forest Preserve District of DuPage County staff have reviewed the information provided and we do not have any specific comments. Thank you.”

GENERAL BULK REQUIREMENTS:

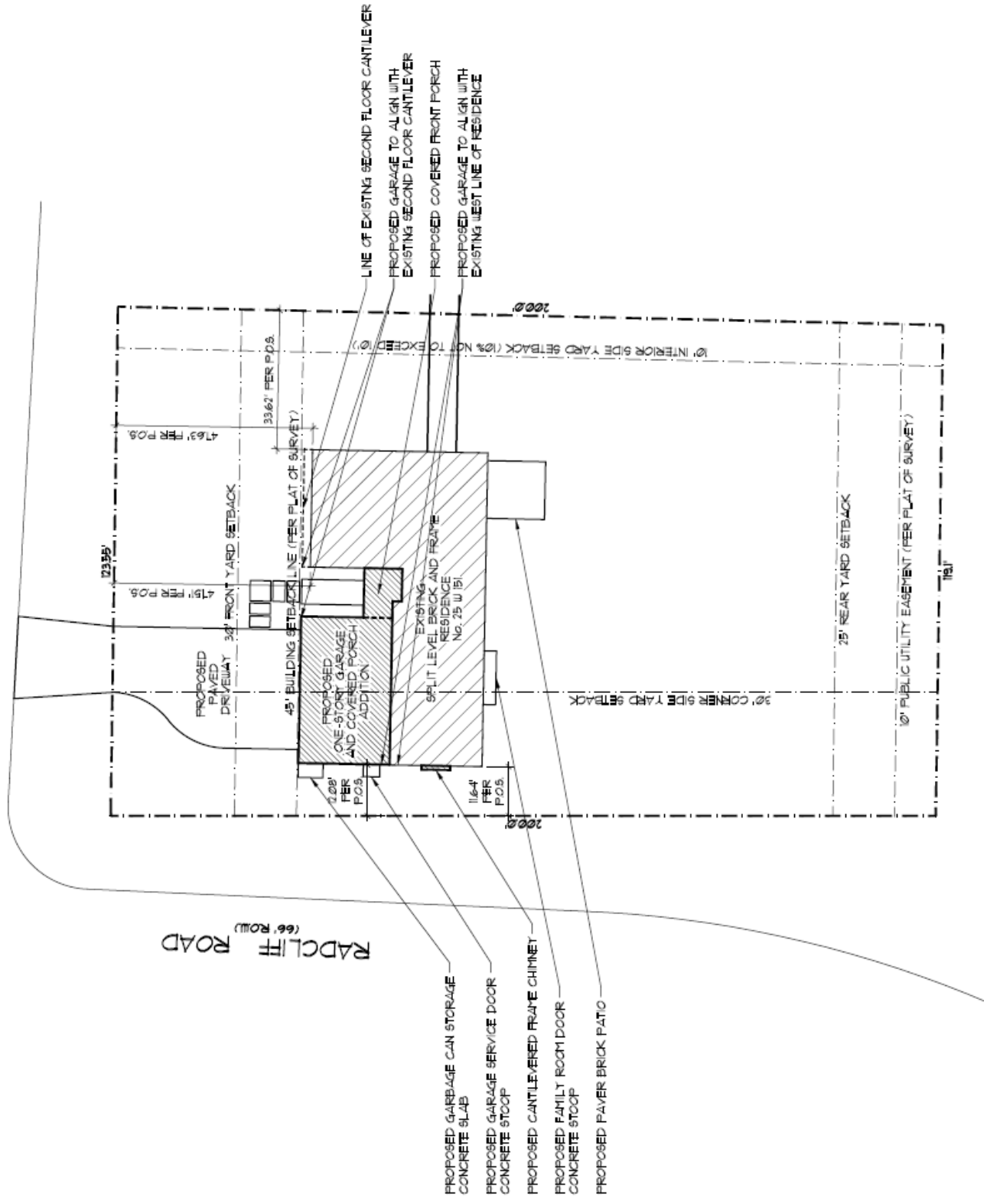
REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Corner Side Yard:	30'	APPROX. 12.08'	APPROX. 11.64'

LAND USE

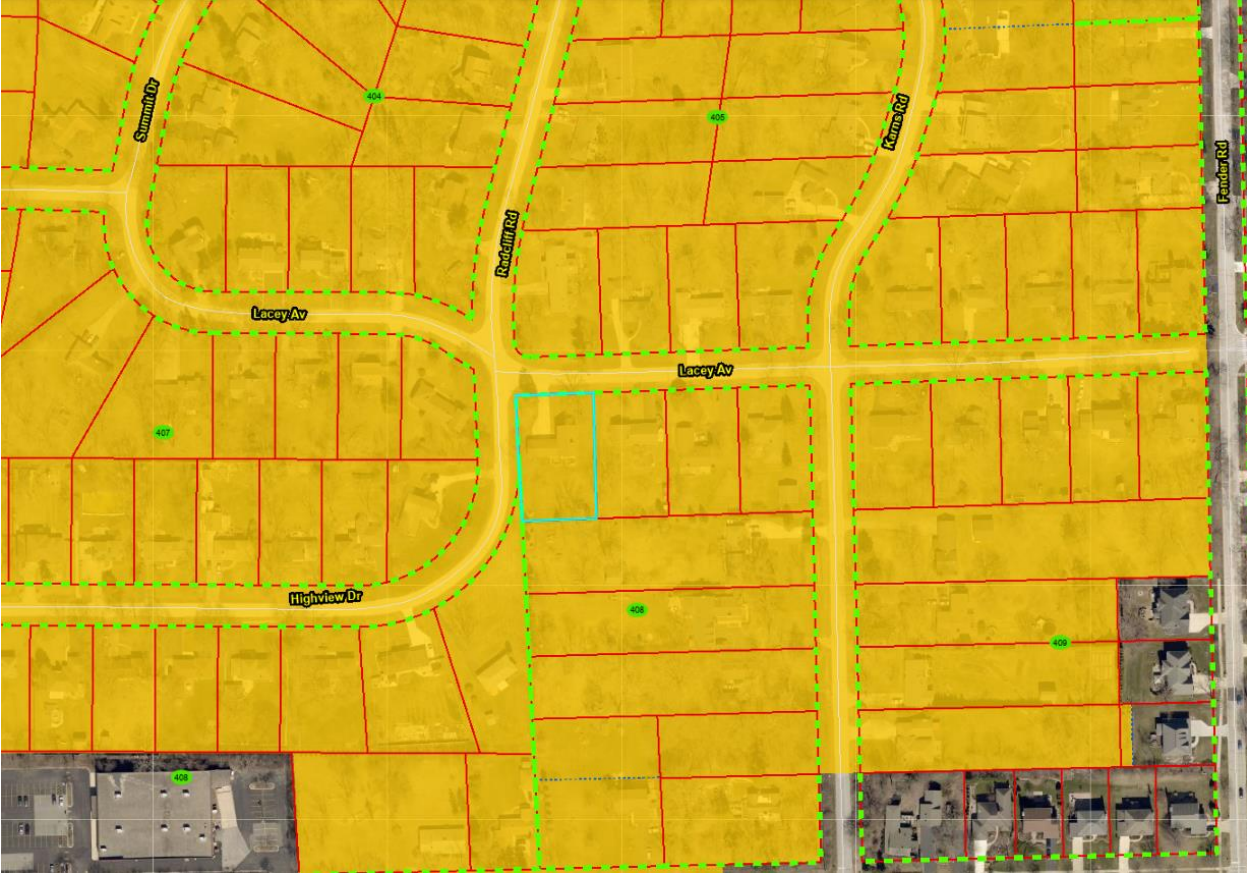
Location	Zoning	Existing Use	LUP
Subject	R-3 SF RES	HOUSE	0-5 DU AC
North	LACEY AVENUE AND BEYOND R-3 SF RES	HOUSE	0-5 DU AC
South	R-3 SF RES	HOUSE	0-5 DU AC
East	R-3 SF RES	HOUSE	0-5 DU AC
West	HIGHVIEW DRIVE AND BEYOND R-3 SF RES	HOUSE	0-5 DU AC

LACEY AVENUE
(66' ROW)

RADCLIFF ROAD
(66' ROW)









Request for Variation

Scott and Barbara Mies Residence
25 W 151 Lacey Avenue
Naperville, Illinois 60563

Variance Request: Corner Side setback variation from 30'-0" to match existing building 12.08' setback.

The Project: The project consists of a 3 car addition in front (north) of the existing attached 3 car Garage to allow for an expansion of the existing Kitchen/Dining and Family Room into the existing 3 car Garage Area.

This choice for the design solution will allow the Family Room to be on the main level of the house and to allow for a first floor Powder Room and Mudroom. Which are typical for current home designs.

The location of this addition allows access to the existing Foyer and prevents the new addition from going to the rear (south) of the house where the septic system and tank are location.

The proposed addition would not encroach further into the corner side yard setback than the existing attached Garage/Residence built before the current zoning ordinance. This location being on a corner does not affect an adjacent neighbor and this new addition will not cause any issues in being where it is to date.

This proposed addition will not go any further into the front yard than the existing residence does and does meet the required 30' front yard setback.

Hardships: There are a number of hardships for this design including:

1. The existing Residence and attached Garage are currently 12.08' setback from the current corner side yard setback.
2. The unique design of this residence being a bi-level multilevel home does not allow the Family Room or the Powder Room on the same level. Requiring us to either do an addition to the rear where the septic field are or expand into the existing front yard.
3. The existing septic system is directly in the rear yard adjacent to the existing Kitchen and Dining Room which is where an addition would be placed.
4. The architectural difficulties are caused by the multi-level home, the location of the septic field and the existing location of the residence within the corner side yard setback.

Conclusions:

1. This location will not affect adjacent neighbors due to the existing house being on a corner.
2. The only setback requiring a variation is the corner side yard setback and the proposed addition will be within the required 30' front yard setback.
3. The addition will not affect the existing well or septic field locations.
4. The addition is pleasing to the eye and will be an improvement to the existing home and value to the community.
5. The location of this addition will not cause any hardship to the community or adjacent neighbors.