



**DUPAGE  
COUNTY**

Building  
Division

Zoning &  
Planning Division

Environmental  
Division

## BUILDING & ZONING DEPARTMENT

630-407-6700  
fax: 630-407-6702

[www.dupagecounty.gov/building](http://www.dupagecounty.gov/building)

### MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: August 6, 2024

RE: **ZONING-24-000043 Clark (Bloomingdale/District 1)**

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**DuPage County Board: August 13, 2024:**

**DuPage County Development Committee: August 6, 2024:** The DuPage County Development Committee recommended to approve the following zoning relief:

1. Conditional Use to increase the total area of detached accessory buildings from permitted 1,200 sq. ft. to approximately 1,440 sq. ft. for a new 48'x30' detached garage.
2. Variation to increase the total height 15' to approximately 25' for a new detached garage.
3. Variation to reduce the interior side setback from required 10' to approximately 5' for a new detached garage.

**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-24-000043 Clark** dated July 10, 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 owner/developer is not permitted to operate a business out of the subject detached garage.
4. That the petitioner maintains the existing landscaping and fencing around the perimeter of the subject property.

5. 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 Hearing Officer: July 10, 2024:** The Zoning Hearing Officer recommended to approve the following zoning relief:

1. Conditional Use to increase the total area of detached accessory buildings from permitted 1,200 sq. ft. to approximately 1,440 sq. ft. for a new 48'x30' detached garage.
2. Variation to increase the total height 15' to approximately 25' for a new detached garage.
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**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-24-000043 Clark dated July 10, 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 owner/developer is not permitted to operate a business out of the subject detached garage.
4. That the petitioner maintains the existing landscaping and fencing around the perimeter of the subject property.
5. 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 allow petitioner to build a 1,440 sq. ft. detached garage, approximately twenty-five (25) feet in height, and approximately five (5) feet from the interior side property line.
- B. That petitioner testified that he has owned the subject property for approximately seven (7) years.
- C. That petitioner testified that he demolished the previous detached garage due to its dilapidated state, and that the proposed detached garage would be constructed in the same location as the previous detached garage, adjacent to a commercial gas station south of the subject property.

- D. That petitioner testified that he requires additional storage space on the subject property as the existing two (2) bedroom/ (1) bathroom house does not have adequate storage or a garage, and that he cannot easily access the existing basement.
  - a. Furthermore, that petitioner testified that he is permitted to store his forty (40) foot recreational vehicle (RV) and up to six (6) passenger vehicles on the subject property, and that in order to safely store his property indoors, petitioner requires additional detached accessory area on the property.
  - b. That petitioner testified that in order to store his recreational vehicle indoors, he requires additional height on the detached garage with a taller garage door, therefore requiring a height of twenty-five (25) feet.
  - c. In addition, that petitioner testified that the subject property is located on Swift Road, just north of North Avenue, and located directly adjacent a commercial property (namely a gas station), and that he further requires indoor storage of his personal property due to the location of the subject property in close proximity to commercial properties with constant traffic and customers.
- E. That petitioner testified that the previous detached garage was constructed approximately five (5) feet from the interior side property line, and that in order to make use of the existing driveway location, petitioner requires a Variation on the interior side setback to build in the same footprint of the previous detached garage.
- F. That petitioner testified that the subject detached garage would be used for personal use only and that he would not run a business out of the subject property and detached garage.
- G. That the Zoning Hearing Officer finds that petitioner has demonstrated and provided sufficient evidence to allow the subject zoning relief for a detached garage on the subject property, and that due to petitioner's location adjacent to a commercial gas station and just north of North Avenue, petitioner requires additional enclosed storage space on the property to safely store his personal property, which is permitted on the subject property.

**STANDARDS FOR CONDITIONAL USES AND VARIATIONS:**

- 1. That the Zoning Hearing Officer finds that petitioner **has demonstrated** that the granting of the Conditional Use and 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; and specifically, that the granting of the Conditional Use and Variation will not:
  - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has demonstrated** that the proposed detached garage will be located adjacent to a commercial gas station and will not impair an adequate supply of light and air to the adjacent property.
  - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that they will obtain a permit for the proposed detached garage and that it will

be built pursuant to all building codes, which will not increase the hazard from fire or other dangers to said property.

- c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed detached garage will not diminish the value of land and buildings throughout the County and will be an added benefit to the surrounding area.
- d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the proposed detached garage will not unduly increase traffic as the proposed detached garage will be located behind the front wall of the house and used only for personal use
- e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** the proposed detached garage 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 detached garage 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 detached garage will not impair the public health, safety, comfort, morals, or general welfare.

**PETITIONER'S DEVELOPMENT FACT SHEET**

<b>GENERAL ZONING CASE INFORMATION</b>	
<b>CASE #/PETITIONER</b>	<b>ZONING-24-000043 Clark</b>
<b>ZONING REQUEST</b>	<ol style="list-style-type: none"> <li>1. Conditional Use to increase the total area of detached accessory buildings from permitted 1,200 sq. ft. to approximately 1,440 sq. ft. for a new 48'x30' detached garage.</li> <li>2. Variation to increase the total height 15' to approximately 25' for a new detached garage.</li> <li>3. Variation to reduce the interior side setback from required 10' to approximately 5' for a new detached garage.</li> </ol>
<b>OWNER</b>	JAMES S. CLARK, 2N055 SWIFT ROAD, LOMBARD, IL 60148/ AGENT: CARL HOKENSON, 960 ASTER LANE, WEST CHICAGO, IL 60185
<b>ADDRESS/LOCATION</b>	2N055 SWIFT ROAD, LOMBARD, IL 60148
<b>PIN</b>	02-36-411-003
<b>TWSP./CTY. BD. DIST.</b>	BLOOMINGDALE      DISTRICT 1
<b>ZONING/LUP</b>	R-4 SF RES      LOCAL COMMERCIAL
<b>AREA</b>	0.73 ACRES (31,799 SQ. FT.)
<b>UTILITIES</b>	WELL/SEPTIC
<b>PUBLICATION DATE</b>	Daily Herald: June 25, 2024
<b>PUBLIC HEARING</b>	Wednesday, July 10, 2024
<b>ADDITIONAL INFORMATION:</b>	
Building:	No Objections.
DUDOT:	No Objections.
Health:	No Objections.
Stormwater:	No Objections with the concept of the petition. Additional information may be required at time of permit application.
Public Works:	"This property is located in the Glendale Hts Facility Planning Area. Not DPC PW sewer or water."
<b>EXTERNAL:</b>	
Village of Glendale Heights:	<i>No Comments Received.</i>
Village of Addison:	<i>No Comments Received.</i>
Village of Lombard:	"We received your email and as it is outside our extraterritorial jurisdiction, we have no comments on the petition."
Village of Glen Ellyn:	<i>No Comments Received.</i>
Bloomingtondale Township:	<i>No Comments Received.</i>
Township Highway:	<i>No Comments Received.</i>
Bloomingtondale Fire Dist.:	No Objections with the concept of the petition. Additional information may be required at time of permit application. (See attached documentation)
Sch. Dist. 15:	<i>No Comments Received.</i>

Sch. Dist. 97:	<i>No Comments Received.</i>
Forest Preserve:	The Forest Preserve District of DuPage County staff have reviewed the information provided in this notice and do not have any specific comments. Thank you.”

**GENERAL BULK REQUIREMENTS:**

<b>REQUIREMENTS:</b>	<b>REQUIRED</b>	<b>EXISTING</b>	<b>PROPOSED</b>
Int. Side Yard:	10'	NA	APPROX. 5'
Height:	15'	NA	APPROX. 24'
Floor Area Ratio:	1,200 SQ. FT.	NA	1,440 SQ. FT.

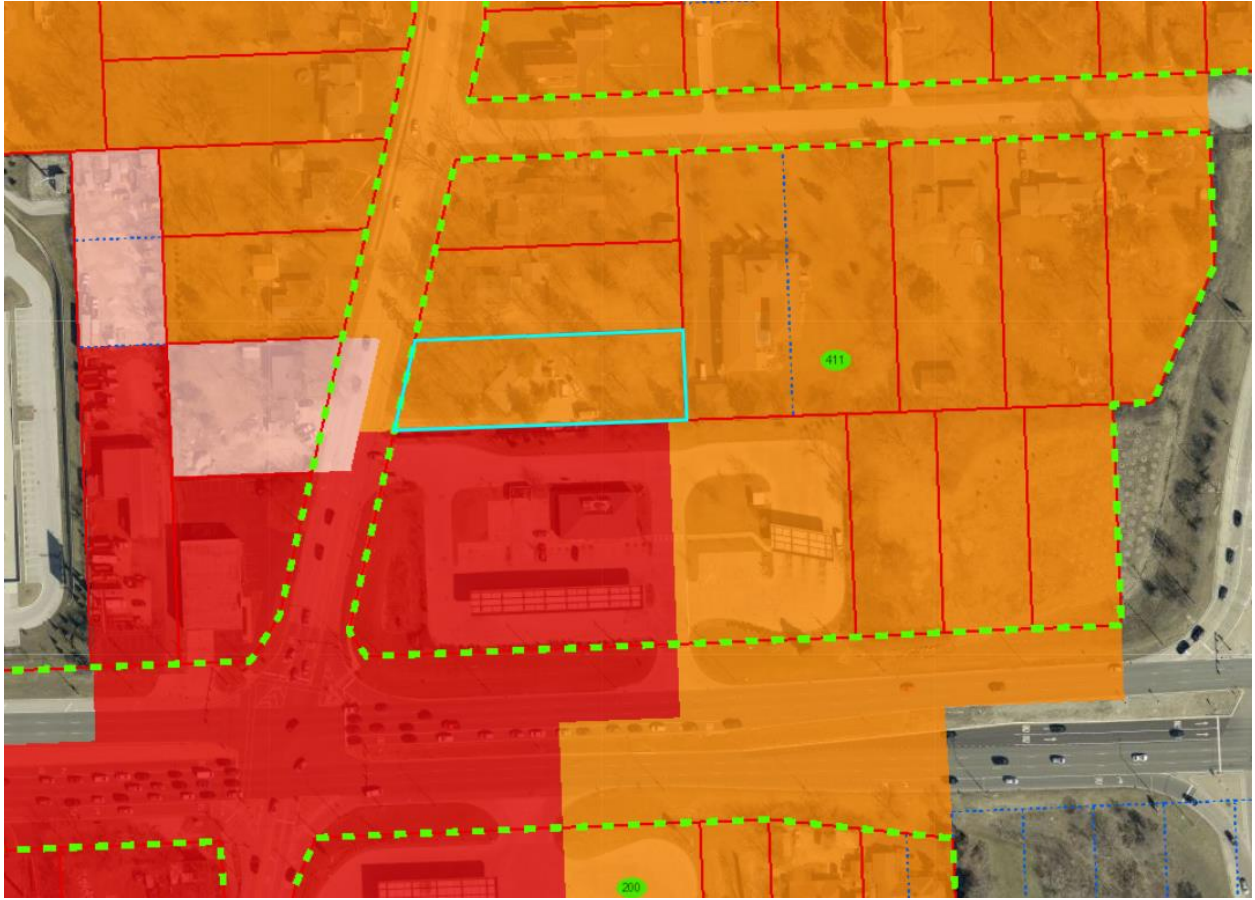
**LAND USE**

<b>Location</b>	<b>Zoning</b>	<b>Existing Use</b>	<b>LUP</b>
Subject	R-4 SF RES	HOUSE	LOCAL COMMERCIAL
North	R-4 SF RES	HOUSE	LOCAL COMMERCIAL
South	B-2 GENERAL BUSINESS	GAS STATION	LOCAL COMMERCIAL
East	R-4 SF RES	HOUSE	LOCAL COMMERCIAL
West	SWIFT ROAD AND BEYOND B-1 LOCAL BUSINESS	NA	LOCAL COMMERCIAL











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### DU PAGE COUNTY ZONING HEARING OFFICER PROGRAM Zoning Petition ZONING-24-000043 Clark

**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@dupagecounty.gov](mailto:Jessica.Infelise@dupagecounty.gov) or via facsimile at 630-407-6702 by **July 9, 2024**.

<b>COMMENT SECTION:</b>
<b>: OUR OFFICE HAS NO JURISDICTION IN THIS MATTER</b>
<b>: NO OBJECTION/CONCERNS WITH THE PETITION</b>
<b>XX : NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION. ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION</b>
<b>: I OBJECT/ HAVE CONCERNS WITH THE PETITION.</b>
<b>COMMENTS:</b> In reviewing the application, I would have the following comments:  1. If this is residential property our residential sprinkler code would not be applicable because the building is an accessory building and not a residential / sleeping use. Therefore, no sprinklers would be required. However, if this structure is for commercial or storage use this building would be required to be fire sprinkled. If they would please provide a clear definition of how the property is zoned and what the intended use of the building would be ie. Residential or commercial use.  2. The set back distance does not appear to be an issue as there is only a wooden fence within close proximity to this lot line.
<b>SIGNATURE:</b> [REDACTED] <b>DATE:</b> 6/28/2024
<b>MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT:</b>
<b>GENERAL ZONING CASE INFORMATION</b>