



**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: December 3, 2024

RE: **ZONING-24-000072 Goin (Winfield/District 6)**

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**DuPage County Board: December 10, 2024:** *(If the County Board seeks to approve the Variation zoning relief it will require a ¾ majority vote {14 votes} to approve based on the recommendation to deny by the Zoning Hearing Officer)*

**Development Committee: December 3, 2024:** The Motion to Approve failed relative to the following zoning relief:

1. Conditional Use to increase the number of hens permitted on the subject property from 5 to 23.  
**Development Committee VOTE (Motion to Approve Failed): 0 Ayes, 5 Nays, 1 Absent**
2. Variation to reduce the interior side setback for an existing chicken coop and chicken run from required 25 feet to approximately 6 feet.  
**Development Committee VOTE (Motion to Approve Failed): 0 Ayes, 5 Nays, 1 Absent**

**Zoning Hearing Officer: November 20, 2024:** The Zoning Hearing Officer recommended to deny the following zoning relief:

1. Conditional Use to increase the number of hens permitted on the subject property from 5 to 23.
2. Variation to reduce the interior side setback for an existing chicken coop and chicken run from required 25 feet to approximately 6 feet.

**ZHO Recommendation to Deny**

**FINDINGS OF FACT:**

- A. That petitioner testified that they have requested the subject zoning relief to increase the number of hens permitted on the subject property from 5 to 23 and to reduce the interior side setback for an existing chicken coop and chicken run from required 25 feet to approximately 6 feet.
- B. That petitioner testified that she has had chickens on the subject property since 2011.
- C. That petitioner testified that the subject coop was constructed in 2011.
- D. That petitioner testified that chickens (hens) start laying eggs after 5-6 months of age and that she currently has chicks, egg-laying chickens, and older chickens in order to have a sustainable flock.
- E. That petitioner testified that she cannot feed her family with only five (5) hens and that she requires additional chickens in order to feed her family.
- F. That at the public hearing, neighbors testified that the large number of chickens on the subject property attracts many coyotes and hawks and that they often find the remnants of deceased chickens on their adjacent property.
- G. That the Zoning Hearing Officer finds that petitioner has not demonstrated or presented evidence for a particular hardship, practical difficulty, or unique circumstance in relation to the Variation for the existing chicken coop and chicken run.
  - Furthermore, that the Zoning Hearing Officer finds that the location of the chicken coop and chicken run, as well as twenty-three (23) hens on the subject property, located approximately six (6) feet from the interior side property line, both impair the public health, safety, comfort, morals, and general welfare of the inhabitants of DuPage County.
- H. That the Zoning Hearing Officer finds that petitioner has not demonstrated or provided sufficient evidence to satisfy the seven (7) standards required to support a Variation or Conditional Use.

**STANDARDS FOR CONDITIONAL USES AND VARIATIONS:**

- 1. That the Zoning Hearing Officer finds that petitioner **has not demonstrated or provided sufficient evidence** that the granting of the Variation and Conditional Use are 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 not demonstrated or provided sufficient evidence** the granting of the Variation and Conditional Use will not:

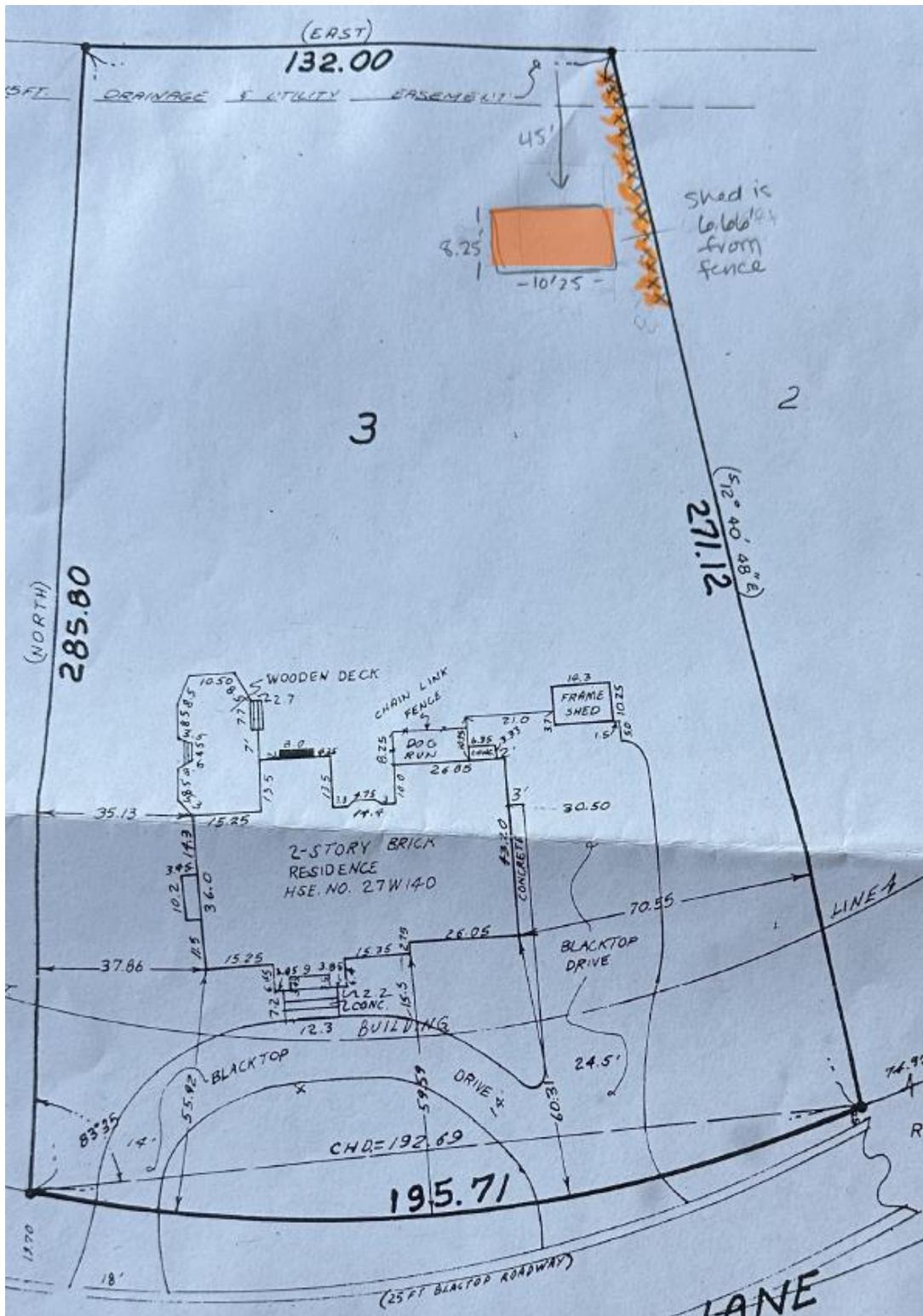
- a. Impair an adequate supply of light and air to the adjacent property as petitioner **has not demonstrated or provided sufficient evidence** that twenty-three (23) hens on the subject property and a chicken coop/run located six (6) feet from the interior side property line does not impact or impair the supply of light and air to adjacent properties.
- b. Increase the hazard from fire or other dangers to said property as petitioner **has not demonstrated or provided sufficient evidence** that twenty-three (23) hens on the subject property and a chicken coop/run located six (6) feet from the interior side property line 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 not demonstrated or provided sufficient evidence** twenty-three (23) hens on the subject property and a chicken coop/run located six (6) feet from the interior side property line does not diminish the value of land throughout the County.
- d. Unduly increase traffic congestion in the public streets and highways as petitioner **has not demonstrated or provided sufficient evidence** that twenty-three (23) hens on the subject property and a chicken coop/run located six (6) feet from the interior side property line does not increase traffic congestion in the public streets and highways.
- e. Increase the potential for flood damages to adjacent property as petitioner **has not demonstrated or provided sufficient evidence** that twenty-three (23) hens on the subject property and a chicken coop/run located six (6) feet from the interior side property line does not increase the potential for flood damages to adjacent property.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has not demonstrated or provided sufficient evidence** that twenty-three (23) hens on the subject property and a chicken coop/run located six (6) feet from the interior side property line 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 not demonstrated or provided sufficient evidence** that twenty-three (23) hens on the subject property and a chicken coop/run located six (6) feet from the interior side property line does not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County.

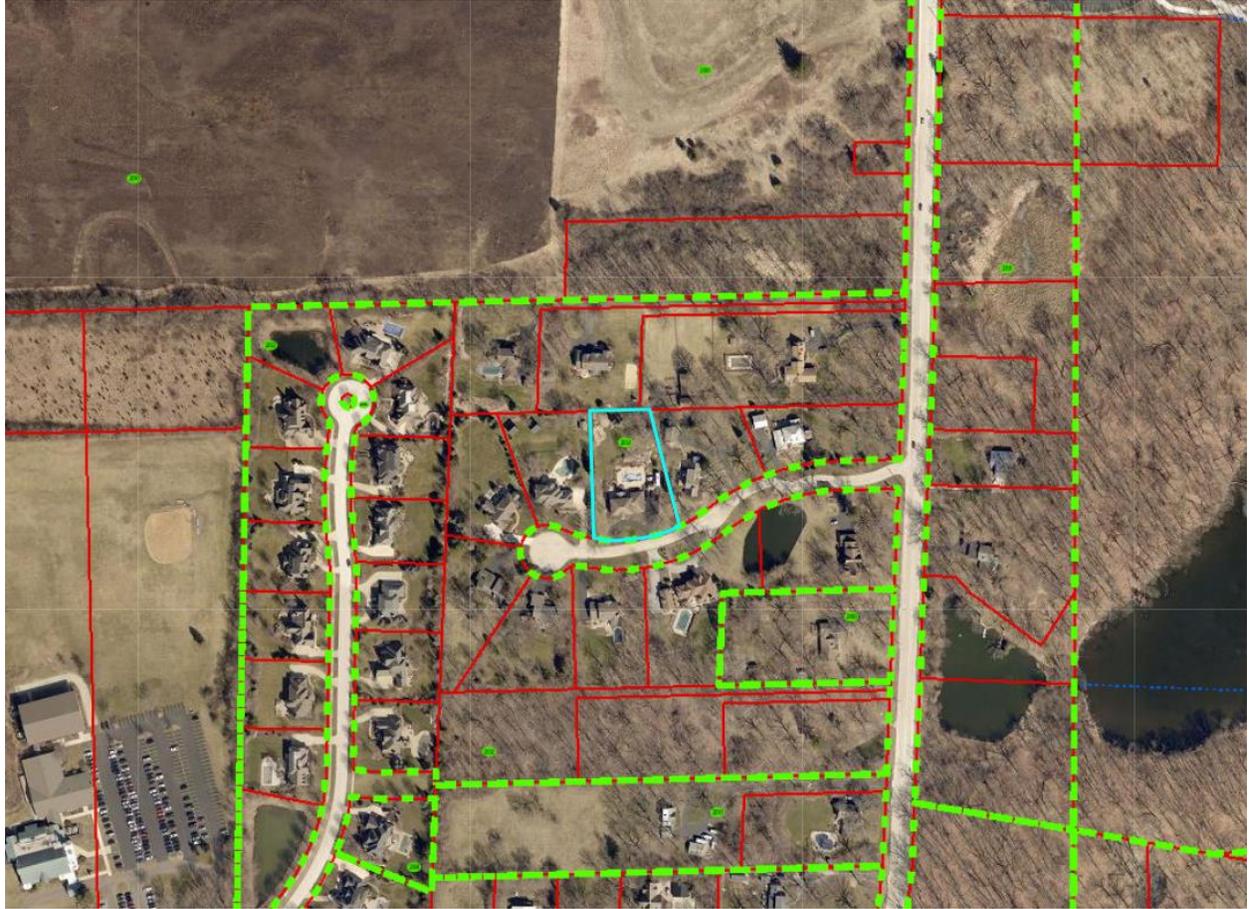
**PETITIONER'S DEVELOPMENT FACT SHEET**

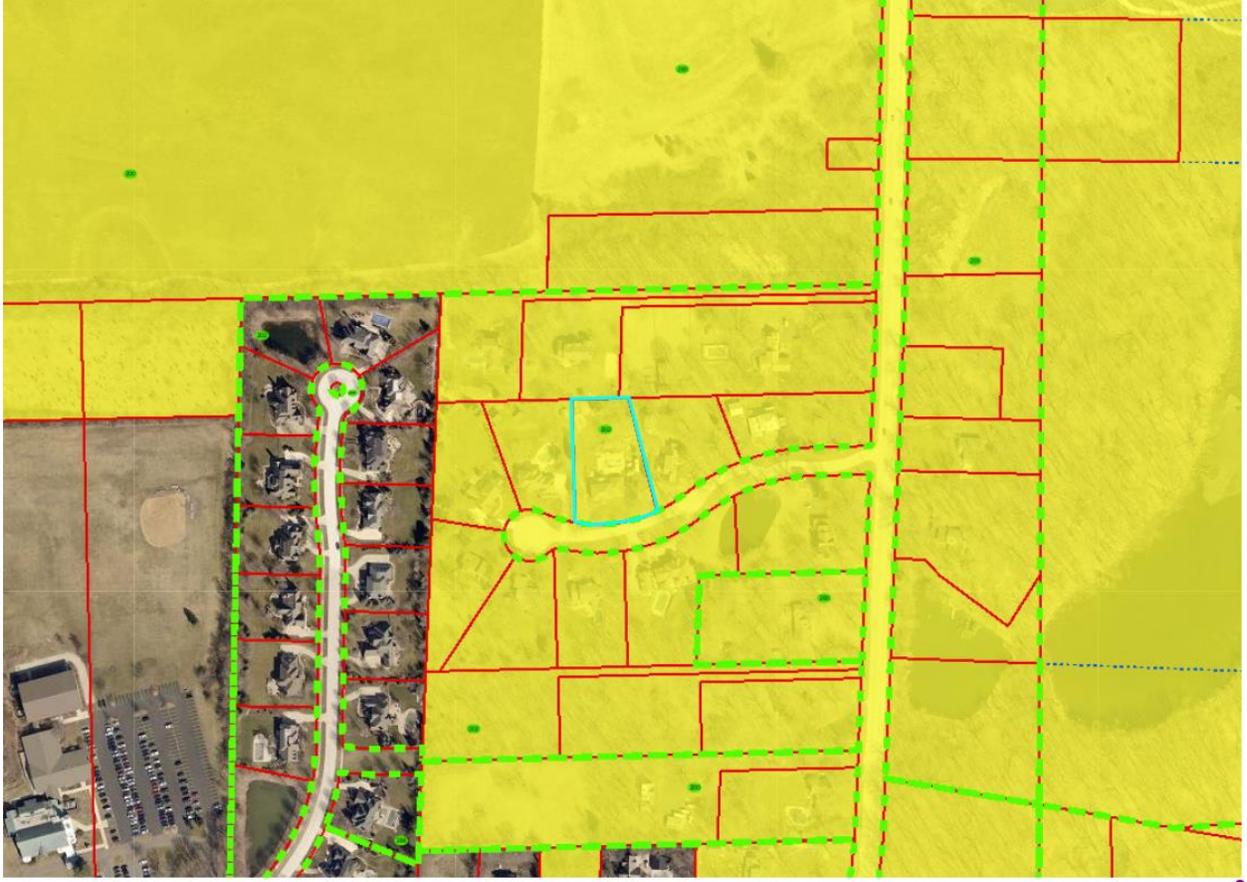
<b>GENERAL ZONING CASE INFORMATION</b>			
<b>CASE #/PETITIONER</b>	<b>ZONING-24-000072 Goin</b>		
<b>ZONING REQUEST</b>	1. Conditional Use to increase the number of hens permitted on the subject property from 5 to 23. 2. Variation to reduce the interior side setback for an existing chicken coop and chicken run from required 25 feet to approximately 6 feet.		
<b>OWNER</b>	MICHAEL E. GOIN, 27W140 COVE LANE, WARRENVILLE, IL 60555/ AGENT: KRISTEN GOIN, 27W140 COVE LANE, WARRENVILLE, IL 60555		
<b>ADDRESS/LOCATION</b>	27W140 COVE LANE, WARRENVILLE, IL 60555		
<b>PIN</b>	04-36-202-006		
<b>TWSP./CTY. BD. DIST.</b>	WINFIELD	DISTRICT 6	
<b>ZONING/LUP</b>	R-2 SF RES	0-5 DU AC	
<b>AREA</b>	1.07 ACRES (46,609 SQ. FT.)		
<b>UTILITIES</b>	WELL/SEPTIC		
<b>PUBLICATION DATE</b>	Daily Herald: OCTOBER 23, 2024		
<b>PUBLIC HEARING</b>	THURSDAY, NOVEMBER 7, 2024		
<b>ADDITIONAL INFORMATION:</b>			
Building:	Objects. "I have concerns with the number of chickens and proximity to the property line with the coop."		
DUDOT:	Our office has no jurisdiction in this matter.		
Health:	Our office has no jurisdiction in this matter.		
Stormwater:	No Objection 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 mains in the area."		
<b>EXTERNAL:</b>			
City of Warrenville:	<i>No Comments Received.</i>		
City of Wheaton:	<i>No Comments Received.</i>		
City of Naperville:	<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.:	No Objections.		
Sch. Dist. 200:	<i>No Comments Received.</i>		
Forest Preserve:	"We have do not have any comments."		
<b>GENERAL BULK REQUIREMENTS:</b>			
<b>REQUIREMENTS:</b>	<b>REQUIRED</b>	<b>EXISTING</b>	<b>PROPOSED</b>
Int. Side Yard:	25 FT	APPROX. 6 FT	APPROX. 6 FT.

**LAND USE**

<b>Location</b>	<b>Zoning</b>	<b>Existing Use</b>	<b>LUP</b>
Subject	R-2 SF RES	HOUSE	0-5 DU AC
North	R-2 SF RES	HOUSE	0-5 DU AC
South	COVE LANE AND BEYOND R-2 SF RES	HOUSE	0-5 DU AC
East	R-2 SF RES	HOUSE	0-5 DU AC
West	R-2 SF RES	HOUSE	0-5 DU AC











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### DU PAGE COUNTY ZONING HEARING OFFICER PROGRAM Zoning Petition ZONING-24-000072 Goin

Please review the information herein and return with your comments to:  
Jessica Infelise Datzman, 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 **November 6, 2024**.

<b>COMMENT SECTION:</b>	
<input type="checkbox"/> : OUR OFFICE HAS NO JURISDICTION IN THIS MATTER	
<input type="checkbox"/> : NO OBJECTION/CONCERNS WITH THE PETITION	
<input type="checkbox"/> : NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION.	
<b>ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION</b>	
<input checked="" type="checkbox"/> : I OBJECT/HAVE CONCERNS WITH THE PETITION.	
COMMENTS: I have concerns with the number of chickens and proximity to the property line with the coop.	
SIGNATURE: [REDACTED] DATE: <i>October 23, 2024</i>	
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT:	
<b>GENERAL ZONING CASE INFORMATION</b>	
<b>CASE #/PETITIONER</b>	ZONING-24-000072 Goin
<b>ZONING REQUEST</b>	1. Conditional Use to increase the number of hens permitted on the subject property from 5 to 23. 2. Variation to reduce the interior side setback for an existing chicken coop and chicken run from required 25 feet to approximately 6 feet.
<b>OWNER</b>	MICHAEL E. GOIN, 27W140 COVE LANE, WARRENVILLE, IL 60555/ AGENT: KRISTEN GOIN, 27W140 COVE LANE, WARRENVILLE, IL 60555
<b>ADDRESS/LOCATION</b>	27W140 COVE LANE, WARRENVILLE, IL 60555
<b>PIN</b>	04-36-202-006
<b>TWSP./CTY. BD. DIST.</b>	WINFIELD DISTRICT 6
<b>ZONING/LUP</b>	R-2 SF RES 0-5 DU AC
<b>AREA</b>	1.07 ACRES (46,609 SQ. FT.)
<b>UTILITIES</b>	WELL/SEPTIC
<b>PUBLICATION DATE</b>	Daily Herald: OCTOBER 23, 2024
<b>PUBLIC HEARING</b>	THURSDAY, NOVEMBER 7, 2024

PLEASE NOTE: FILING OF THIS FORM DOES NOT SUBSTITUTE FOR A FORMAL OBJECTION PURSUANT TO THE ILLINOIS STATE STATUTES.

Date: Wed, Oct 30, 2024 at 8:04 PM  
Subject: Zoning Petition ZONING-24-000072 Goin  
To: <[Jessica.felise@dupagecounty.gov](mailto:Jessica.felise@dupagecounty.gov)>

DuPage Zoning Commission,

Along with our neighbors also providing input— We too reject the conditional use request To increase the number of chickens beyond what is currently zoned at 5.

Steve and Joyce Bellows

warrenville, IL 60555

**Sent:** Thursday, October 31, 2024 1:59 PM  
**To:** Infelise, Jessica  
**Subject:** Petition by Michael E. Goin to increase number of hens in his chicken coop

[Caution: This email originated outside Dupagecounty.gov. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Jessica,

I recently received a notice for a zoning petition by Mr. and Mrs. Goin in regard to the property at 27W140 Cove Lane, Warrenville IL. The two items listed in the petition were to allow them to increase the number of hens to 23 and also the placement of the chicken coop as specified of the attached sketch.

Unfortunately, we will not be available to attend the hearing.

Both of the items petitioned for are in violation of the "Declaration of Restrictions" for our subdivision. All of this information is noted in the "Declaration of Restrictions" by the Du Page Bank & Trust Company, as Trustee under Trust Agreement dated February 22, 1979, Trust number 2450. Item 4 under Use Restrictions states that "Animals: No animals, birds, bees, poultry or livestock of any kind shall be raised, bred or kept anywhere on the property except that dogs, cats and other common household pets shall be permitted, limited to a total of three in the aggregate. Any pet causing or creating a nuisance or unreasonable disturbance shall be removed from the property."

Item 11 states, "Building Set-Back: No permitted building will be constructed closer than 40 feet from the front lot line and 15 feet from any side lot line."

We are not in favor of the requested petitions.

Tony and Irene Drab

**Sent:** Thursday, October 31, 2024 2:16 PM  
**To:** Infelise, Jessica  
**Subject:** zoning-24-000072 goin

[Caution: This email originated outside Dupagecounty.gov. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Jessica

Please take this email as to our disapproval of the zoning change zoning-24-000072 Goin we do not want the the number of hens increased to over 5 .They have over 5 hens for a while and they have been out of their coop several times with cayotes killing them with 12 being killed 2 weeks ago. We have 4 grandchildren under 4 and we don't need cayotes coming around looking for the hens. They also have roosters and we are tired of hearing them all day and early evening. I hope this will covey our concerns and if we need to be at the meet please let me know and if you have any questions please email me or call me at 630-814-7780.

Keith and Roberta Acker  
[REDACTED]

**Sent:** Friday, November 1, 2024 9:59 AM  
**To:** Infelise, Jessica  
**Subject:** zoning petition -24-000072 Goin

[Caution: This email originated outside Dupagecounty.gov. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

In response to this petition, my husband and I would like to see the current limit of 5 chickens be maintained.

**Sent:** Tuesday, November 5, 2024 9:40 PM  
**To:** Infelise, Jessica  
**Cc:** Dorrie Seyfried  
**Subject:** Zoning Petition ZONING-24-000072 Goin

[Caution: This email originated outside Dupagecounty.gov. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Ms. Infelise.

I am writing in regards to the above petition. My wife (copied here) and I reside at [REDACTED] which is directly adjacent to the property in question. We are unable to attend the hearing, but wanted to make our concerns known.

The chicken coop in question is directly adjacent to our property line. The concentrated presence of the 20+ chickens that they have maintained thus far appears to have created an increased draw for predators. There have been a number of attacks on chickens by coyotes and/or foxes in the 4 years we have lived here. These have been very disturbing occurrences. Therefore we request that the Goins be instructed to adhere to the regulatory limit of 5 chickens.

In regards to the setback variation request, we would have no objection, IF, and only if, an access gate were provided at the far north end of the new fencing erected by the Goin's within the last 3 months. The erection of this fence now blocks our access to our electrical and cable hook up. The property currently is posted as no trespassing.

Also, the survey provided with the hearing announcement appears to be an outdated version. It does not include an enclosed room on the left side of the house (which is showing as a wooden deck). The survey also does not include a barn-like structure of considerable size (20 feet tall?) that is beyond their driveway and parallel to our property line.

We would like to be advised of the outcome of the hearing when decided. For any other information you may need, please do not hesitate to contact us. I can also be reached at [REDACTED]

Thank you.

Sincerely

Michael Court Dorrie Seyfried

Sent from my iPhone

**Sent:** Thursday, November 7, 2024 1:29 PM  
**To:** Infelise, Jessica  
**Subject:** Today's hearing for 2:30 Zoning petition

[Caution: This email originated outside Dupagecounty.gov. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Hello Jessica,  
My apologies for the late email. Hopefully you will see this before the hearing today.  
This is in reference to:  
Zoning Petition ZONING-24-000072 Goin

I live 2 properties away from the chicken coop.  
I am in opposition to having more chickens on their property.  
A couple summers ago, they left their coop door open and the chickens got out. The coyotes ended up killing or injuring quite a few of the chickens. I ended up collecting multiple dead and maimed chickens from the Smiths yard (adjacent to the coop), (they were dressed up for a wedding) to put back in the coop so the coyotes wouldn't do further damage or be lured further to our properties.  
This happened again just recently, but I did not help clean up the destruction that the coyotes made.

I walk my dog to Herrick a lot, but do not walk her in the late afternoon because there are too many coyotes that have gotten very bold knowing they have a possible dinner in the area.

I really am worried about the increase in their presence due to the chickens in the area.

Also, the rooster is extremely noisy throughout the day. I didn't think roosters were allowed in the residential area.

Thank you,  
Joanne Wegscheid

Warrenville