



DU PAGE COUNTY

Development Committee

Final Summary

421 N. COUNTY FARM ROAD
WHEATON, IL 60187
www.dupagecounty.gov

Tuesday, August 20, 2024

10:30 AM

ROOM 3500B

1. CALL TO ORDER

10:30 AM meeting was called to order by Chair Sam Tornatore at 10:35 AM.

2. ROLL CALL

PRESENT	Chaplin, Ozog, Rutledge, and Tornatore
ABSENT	Gustin, and Krajewski

3. CHAIRMAN'S REMARKS- CHAIR TORNATORE

No remarks were offered.

4. PUBLIC COMMENT

No public comments were offered at the meeting in person.

***Comments submitted electronically are included for the record in their entirety and can be found at the end of the minutes packet.

5. MINUTES APPROVAL

5.A. [24-2244](#)

Development Committee - Regular Meeting - August 6, 2024

Attachments: [Dev Comm Meeting Minutes summary 8-6-2024.pdf](#)

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Liz Chaplin
AYES:	Chaplin, Ozog, Rutledge, and Tornatore
ABSENT:	Gustin, and Krajewski

6. REGULATORY SERVICES

6.A. [DC-O-0051-24](#)

ZONING-24-000023 – ORDINANCE – Griese: To approve the following zoning relief:
1. Variation to allow a boat on trailer (24' x 8' Recreational Vehicle) in front of the front wall.

2. Variation to reduce the front yard setback from required 30' to approximately 5' to park a boat on trailer (24'x8' Recreational Vehicle). (Winfield/District 6)
(If the County Board seeks to approve the zoning relief it will require a ¾ majority vote {14 votes} to approve based on the recommendation to deny by the Zoning Hearing Officer)

ZHO Recommendation to Deny

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

Attachments: [Z-24-000023 Griese Cty. Bd. \(08-27-2024\)_Redacted.pdf](#)

RESULT:	RECOMMENDED TO DENY (DEVELOPMENT ONLY)
MOVER:	Liz Chaplin
SECONDER:	Sheila Rutledge
NAY:	Chaplin, Ozog, Rutledge, and Tornatore
ABSENT:	Gustin, and Krajewski

6.B. [DC-O-0052-24](#)

ZONING-24-000035 – ORDINANCE – Bagalanon (10%): To approve the following zoning relief:

Variation to increase the total size of a new single-family home from permitted 2,547 sq. ft. to approximately 2,741 sq. ft. (Variation is for 194 sq. ft which is 7.6% increase). (Milton/District 6)

ZHO Recommendation to Approve

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

Attachments: [Z-24-000035 Bagalanon \(10%\) CTY BD \(08-27-2024\).pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Liz Chaplin
SECONDER:	Sheila Rutledge
AYES:	Chaplin, Ozog, Rutledge, and Tornatore
ABSENT:	Gustin, and Krajewski

6.C. [DC-O-0053-24](#)

ZONING-24-000040 – ORDINANCE – Jimenez: To approve the following zoning relief:

1. Variation to reduce the west interior side setback from required 20 feet to approximately 13 feet for a house addition.

2. Variation to reduce the east interior side setback from required 20 feet to approximately 10 feet for a house addition. (Winfield/District 6)

ZHO Recommendation to Approve

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

Attachments: [Z-24-000040 Jimenez CTY BD \(08-27-2024\).pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Liz Chaplin
SECONDER:	Sheila Rutledge
AYES:	Chaplin, Ozog, Rutledge, and Tornatore
ABSENT:	Gustin, and Krajewski

6.D. [DC-O-0054-24](#)

ZONING-24-000050 – ORDINANCE – Stout: To approve the following zoning relief: Variation to allow a 4-H project for a property that is less than 40,000 sq. ft. in size (approximately 32,754 sq. ft.) to have a miniature horse and donkey on the property. (Winfield/District 6)

ZHO Recommendation to Approve

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

Attachments: [Z-24-000050 Stout CTY BD \(08-27-2024\).pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Liz Chaplin
SECONDER:	Sheila Rutledge
AYES:	Chaplin, Ozog, Rutledge, and Tornatore
ABSENT:	Gustin, and Krajewski

6.E. [DC-O-0055-24](#)

ZONING-24-000056 – ORDINANCE – McElligott: To approve the following zoning relief:

Conditional Use to allow an existing shed to remain less than 3 feet from the interior side property line (approximately 0.2 feet), where it has existed for at least 5 years. (Milton/District 4)

ZHO Recommendation to Approve

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

Attachments: [Z-24-000056 McElligott CTY BD \(08-27-2024\).pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Liz Chaplin
SECONDER:	Mary Ozog
AYES:	Chaplin, Ozog, Rutledge, and Tornatore
ABSENT:	Gustin, and Krajewski

6.F. [DC-O-0056-24](#)

T-2-24 Text Amendments to the DuPage County Zoning Ordinance: To approve the following zoning relief:

Zoning Petition T-2-24 proposed Text Amendments to the DuPage County Zoning Ordinance Chapter 37 relative to Electric Vehicles, Accessory Dwelling Units, and Dwelling Units: (Waive First Reading)

- Add to the Permitted and Conditional Use sections to allow for electric vehicle charging stations in all nonresidential zoning districts.
- Add new residential use requirements and bulk regulations for accessory dwelling units (i.e.: number of occupants in the accessory dwelling units, number of kitchens, setback requirements of accessory dwelling units and parking requirements).

ZBA VOTE (to Approve): 5 Ayes, 0 Nays, 2 Absent

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

Paul Hoss clarified the change for electric vehicle charging stations. With the amendment they would be able to be permitted as a stand alone use.

County Board Member Yoo inquired if the County has ever had Accessory Dwelling Units before. Paul Hoss explained currently, it is allowed with a conditional use, requiring the occupant to be 62 years or older and a family member. With the text amendment people would still need a conditional use, but occupant no longer needs to be related and no age restriction. Also, it would allow the ADU to be located in an existing detached building and would increase the allowance of square footage from 400 to 1,000, but still must meet the floor area ratio requirements. The property must be owner occupied, either living in principal structure or the ADU. Leases would be required to at least six months. Parking requirements will still remain, no more than six vehicles.

Attachments: [T-2-24 Cty. Bd. \(08-27-2024\)_Redacted.pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Liz Chaplin
SECONDER:	Sheila Rutledge
AYES:	Chaplin, Ozog, Rutledge, and Tornatore
ABSENT:	Gustin, and Krajewski

[DC-O-0050-24](#)

T-1-24 Text Amendments (b) to the DuPage County Zoning Ordinance: To approve the following: Zoning Petition T-1-24 (b) proposed text amendments to the DuPage County Zoning Ordinance relative to beekeeping.

ZBA VOTE (No Recommendation): 7 Ayes, 0 Nays, 0 Absent Development Committee VOTE (to Approve): 4 Ayes, 1 Nays, 1 Absent

Attachments: [T-1-24 TEXT AMENDMENT \(b\) \(08-27-2024\).pdf](#)

7. OLD BUSINESS

No old business was discussed.

8. NEW BUSINESS

No new business was discussed.

9. ADJOURNMENT

With no further business, the meeting was adjourned at 10:55 AM



Minutes

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: 24-2244

Agenda Date: 8/20/2024

Agenda #: 5.A.



DU PAGE COUNTY

Development Committee

Final Summary

421 N. COUNTY FARM ROAD
WHEATON, IL 60187
www.dupagecounty.gov

Tuesday, August 6, 2024

10:30 AM

ROOM 3500B

1. CALL TO ORDER

10:30 AM meeting was called to order by Chair Sam Tornatore at 10:30 AM.

2. ROLL CALL

PRESENT	Gustin, Krajewski, Rutledge, and Tornatore
ABSENT	Ozog
LATE	Chaplin

3. CHAIRMAN'S REMARKS- CHAIR TORNATORE

Chair Tornatore reminded everyone that public comment is limited to 30 minutes. All public comments are for two cases, the beekeeping text amendment and the Medinah Road Residences petition.

4. PUBLIC COMMENT

John Cebula of Glen Ellyn requested the Committee oppose what he feels is a well intended but misconceived proposal about bees. Honeybees are not in danger of extinction, but some native bees are. He prepared a document explaining the importance of native bees and the threat honeybees pose, which was made available to Members.

Connie Schmidt, Chair of the local Sierra Club and resident. Healthy native habitats are dwindling and she feels the current zoning for bees is appropriate. Native bees are effective crop pollinators and their population is declining due to disease and loss of food sources. Native bees need our protection, so that one population does not overtake the other.

Attorney Phil Luetkehans spoke on behalf of the petitioner for Zoning 24-000069 Medinah Road Residences. He advised the Committee that some false narratives about the project and he wants to debunk them. He spoke about the project not being as dense as the property to the north, it has more and that it includes workforce housing . The traffic study showed that Medinah Road could handle 70 units, which has been reduced to 60. There is 20% more parking than required by the County. Stormwater ordinances will be required to be met when permitting.

Peter Scolera, Village of Bloomingdale spoke opposing the Medinah petition. This is based on stormwater impact this project will create, on-site sanitary system, density and inconsistency of architectural design. He asked that the Members recommend to deny the petition.

Jim Tierney of Villa Torino, which includes 19 town homes to the north of the Medinah subject property. The Zoning Board of Appeals have recommended to deny the petition twice. He doesn't believe the developer has showed this proposal will enhance the neighborhood.

Natalie Stec, resident of Medinah Road spoke in opposition to the petition. She spoke of the definition of density in the DuPage County Code is based on total number of dwelling units. The project has been circulated shows 44 pads, but 60 units. It is double or triple the density of the homes surrounding the subject property. She feels the petition is based on a self imposed hardship.

Lori Harmon was in opposition to the Medinah Road petition

Joe Tamburello also opposed the Medinah proposal.

***Electronic comments submitted can be found in the last pages of the meeting minute packet.

5. MINUTES APPROVAL

5.A. [24-1864](#)

Development Committee - Regular Meeting - June 18, 2024

Attachments: [Dev Comm Minutes Summary 6-18-2024.pdf](#)

RESULT:	APPROVED
MOVER:	Patty Gustin
SECONDER:	Liz Chaplin
AYES:	Chaplin, Gustin, Krajewski, Rutledge, and Tornatore
ABSENT:	Ozog

6. REGULATORY SERVICES

6.A. [DC-O-0045-24](#)

ZONING-24-000024 – ORDINANCE – Rektorski: To approve the following zoning relief:

Variation to allow a 6’/100% closed (privacy) fence within the 30’ front yard setback. (Lisle/District 2)

ZHO Recommendation to Deny

Development Committee VOTE (Motion to Approve Failed): 0 Ayes, 5 Nays, 1 Absent

Chair Tornatore asked Paul Hoss why the Zoning Hearing Officer recommended to deny this petition. Mr. Hoss explained the variation is to allow a 6’/100% closed fence in the front yard at the intersection of two streets. No zoning relief has previously been granted for a petition like this.

Attachments: [Z-24-000024 Rektorski Dev. Com. \(08-06-2024\).pdf](#)

RESULT:	RECOMMENDED TO DENY (DEVELOPMENT ONLY)
MOVER:	Patty Gustin

SECONDER:	Sheila Rutledge
NAY:	Chaplin, Gustin, Krajewski, Rutledge, and Tornatore
ABSENT:	Ozog

6.B. [DC-O-0046-24](#)

ZONING-24-000029 – ORDINANCE – Molex Real Estate Holding: To approve the following zoning relief:
 Conditional Use to allow a principal recreational use for walking paths. (Lisle/District 2)
 ZHO Recommendation to Approve
 Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

Attachments: [Z-24-000029 Molex Real Estate Holdings Dev. Com. \(08-06-2024\).pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Patty Gustin
SECONDER:	Sheila Rutledge
AYES:	Chaplin, Gustin, Krajewski, Rutledge, and Tornatore
ABSENT:	Ozog

6.C. [DC-O-0047-24](#)

ZONING-24-000039 – ORDINANCE – Tucker: To approve the following zoning relief:
 Variation to reduce the required setback for a new fence from required 3” to approximately 0”. (Milton/District 4)
 ZHO Recommendation to Approve
 Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

Attachments: [Z-24-000039 Tucker Dev. Com. \(08-06-2024\).pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Patty Gustin
SECONDER:	Sheila Rutledge
AYES:	Chaplin, Gustin, Krajewski, Rutledge, and Tornatore
ABSENT:	Ozog

6.D. [DC-O-0048-24](#)

ZONING-24-000043 – ORDINANCE – Clark: 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. (Bloomingdale/District 1)
 ZHO Recommendation to Approve
 Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

Attachments: [Z-24-000043 Clark Dev. Com. \(08-06-2024\) Redacted.pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Patty Gustin
SECONDER:	Sheila Rutledge
AYES:	Chaplin, Gustin, Krajewski, Rutledge, and Tornatore
ABSENT:	Ozog

6.E. [DC-O-0049-24](#)

ZONING-24-000052 – ORDINANCE – Ruth Lake Woods Condominium Association:
 To approve the following zoning relief:
 Variation to allow the finished side of the proposed privacy fence to face inward instead of outward. (Downers Grove/District 3)
 ZHO Recommendation to Approve
 Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

Attachments: [Z-24-000052 Ruth Lake Woods HOA Dev. Com. \(08-06-2024\).pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Patty Gustin
SECONDER:	Sheila Rutledge
AYES:	Chaplin, Gustin, Krajewski, Rutledge, and Tornatore
ABSENT:	Ozog

6.F. [DC-O-0050-24](#)

T-1-24 Text Amendments (b) to the DuPage County Zoning Ordinance: To approve the following zoning relief:
 Zoning Petition T-1-24 (b) proposed text amendments to the DuPage County Zoning Ordinance relative to beekeeping.
 ZBA VOTE (No Recommendation): 7 Ayes, 0 Nays, 0 Absent
 Development Committee VOTE (to Approve): 4 Ayes, 1 Nays, 1 Absent

Paul Hoss informed the Committee Members that currently beekeeping is through the local 4-H program on properties more than 40,000 sq. ft. and there are no limitations on the number of bees or any regulations. Under this proposal, any size property will require certification annually from the Department of Agriculture, a 4-H certificate, limited to two hives, 25' setbacks, and a flyaway zone 6' requirement.

Attachments: [T-1-24 TEXT AMENDMENT \(b\) \(08-06-2024\).pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Patty Gustin
SECONDER:	Sheila Rutledge
AYES:	Gustin, Krajewski, Rutledge, and Tornatore
NAY:	Chaplin
ABSENT:	Ozog

6.G. [24-2063](#)

Intergovernmental Agreement between the Village of Roselle and the County of DuPage with regards to the removal of hazardous materials from a dangerous and unsafe building within the Village of Roselle with funds from the Neighborhood Revitalization Fund. Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

Paul Hoss made a correction to the description that the funds would be coming from the Neighborhood Revitalization Program, not the Housing Solutions Fund.

Attachments: [2023-2711 DuPage County IGA - Asbestos Removal \(003\) Redacted.pdf](#)

RESULT:	APPROVED AND SENT TO FINANCE
MOVER:	Sheila Rutledge
SECONDER:	Liz Chaplin
AYES:	Chaplin, Gustin, Krajewski, Rutledge, and Tornatore
ABSENT:	Ozog

6.H. [FI-R-0127-24](#)

Additional appropriation for the Building, Zoning & Planning Fund, Company 1100, Accounting Unit 2810, \$30,700.

Attachments: [Appropriation - BZ - FY2024 - \\$30,700](#)

RESULT:	APPROVED AND SENT TO FINANCE
MOVER:	Brian Krajewski
SECONDER:	Liz Chaplin
AYES:	Gustin, Krajewski, Rutledge, and Tornatore
ABSENT:	Ozog
LATE:	Chaplin

6.I. [DC-O-0044-24](#)

ZONING-23-000069 – ORDINANCE – Medinah Road Residences: To approve the following zoning relief:

Conditional Use for a Planned Development in the R-2 Zoning District (60 attached dwelling units on 44 building pads), with the following exceptions:

1. To increase the maximum height from 36’ to approximately 40’
2. To increase the maximum FAR from 0.25 to approximately 0.55. (Bloomingdale/ District 1)

ZBA VOTE (to Deny): 6 Ayes, 1 Nays, 0 Absent

Development Committee VOTE (Motion to Approve Failed): 0 Ayes, 5 Nays, 1 Absent

Member Krajewski stated that Stormwater shouldn't be an issue due permit requirements meeting our Stormwater ordinance. He inquired why there were no specifics mentioned for the denials for each standard.

Board Member Evans asked if there was a sewer line nearby, which there is.

Member Chaplin was concerned about affordable housing availability in the County, as well as animosity between the County and municipalities.

Board Member Cahill, who represents District 1 shared with the Committee that she has received countless calls and emails from residents in Addison and Bloomingdale who opposes this project. The ZBA felt very strongly to deny this petition twice, even with the reduction of units. No one in the community wants this and she is strongly opposed to the petition.

Chair Tornatore stated there are two primary reasons to vote against this petition. The ZBA denied the petition twice and more importantly the residents are opposed.

Attachments: [Z-23-000069 MEDINAH ROAD RESIDENCES1Dev. Com. \(08-06-2024\)_Redacted.pdf](#)

RESULT:	RECOMMENDED TO DENY (DEVELOPMENT ONLY)
MOVER:	Patty Gustin
SECONDER:	Sheila Rutledge
NAY:	Chaplin, Gustin, Krajewski, Rutledge, and Tornatore
ABSENT:	Ozog

7. **OLD BUSINESS**

No old business was discussed.

8. **NEW BUSINESS**

No new business was discussed.

9. ADJOURNMENT

With no further business, the meeting was adjourned at 11:24 AM.



Development Ordinance

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: DC-O-0051-24

Agenda Date: 8/27/2024

Agenda #: 11.B.

Zoning Petition ZONING-24-000023 Griese

WHEREAS, a public hearing was held on July 31, 2024, in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

WHEREAS, a petition was presented at this hearing requesting the following zoning relief:

1. Variation to allow a boat on trailer (24' x 8' Recreational Vehicle) in front of the front wall.
2. Variation to reduce the front yard setback from required 30' to approximately 5' to park a boat on trailer (24'x8' Recreational Vehicle), on the property hereinafter described:

LOT 32 IN TAYLOR AND POWERS GARDEN ACRES, BEING A SUBDIVISION IN THE NORTH ½ OF SECTION 34, TOWNSHIP 39 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 19, 1929 AS DOCUMENT 286552, IN DUPAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on July 31, 2024 does find as follows:

FINDINGS OF FACT:

- A. That petitioner testified that the purpose of the proposed zoning relief is to allow a boat on a trailer to remain in front of the front wall, within the front yard setback.
- B. That the previous record from a public hearing held on May 15, 2024, for ZONING-24-000023 Griese was adopted at the July 31, 2024, public hearing.
- C. That petitioner testified that he has lived at the subject property for approximately twenty-five (25) years.
- D. That petitioner testified that he purchased the subject \$50,000 boat in early 2024 and that he would like to keep the boat on his property.
- E. That petitioner testified that he cannot place the subject boat in the rear yard due to an existing shed and septic field, and that he cannot place the boat in the interior side yard due to the existing well-head location.

- F. That petitioner testified that the subject boat would require a ten (10) foot wide gate in order to access the rear yard and that he would be unable to even place the boat in the rear yard due to the existing septic field and shed location.
- G. That the Zoning Hearing Officer finds that petitioner has not demonstrated or provided sufficient evidence to allow a boat on a trailer to remain in front of the front wall, within the front yard setback and that the plat of survey provided by the petitioner indicates ample room to place the subject boat within the rear yard or on the side of the subject house, behind the front wall of the house.
- Furthermore, that petitioner has not provided evidence (i.e., well/septic plans) as to where the existing septic field, septic tank, and well-head are located, and therefore, the Zoning Hearing Officer could not determine if the subject boat would negatively impact the well and septic utilities in the rear yard or side yard.

STANDARDS FOR VARIATIONS:

1. That the Zoning Hearing Officer finds that petitioner **has not 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 not demonstrated** the granting of the Variation 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 the existing boat on trailer in front of the front wall of the house will not impair an adequate supply of light and air to adjacent property.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has not demonstrated** or provided sufficient evidence that the existing boat on trailer in front of the front wall of the house will not increase the hazard from fire or other dangers.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has not demonstrated** or provided sufficient evidence that the existing boat on trailer in front of the front wall of the house 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 not demonstrated** or provided sufficient evidence that the existing boat on a trailer in front of the front wall of the house will 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 the existing boat on a trailer in front of the front wall of the house 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 not demonstrated** or provided sufficient evidence that the existing boat on a trailer in front of the front wall of the house 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 not demonstrated** or provided sufficient evidence that the existing boat on a trailer in front of the front wall of the house will not impair the public health, safety, comfort, morals or general welfare

PETITIONER’S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-24-000023 Griese	
ZONING REQUEST	1. Variation to allow a boat on trailer (24' x 8' Rec Vehicle) in front of the front wall. 2. Variation to front yard setback from required 30' to approximately 10' to park a boat on trailer (24'x8' Recreational Vehicle)	
OWNER	TODD GRIESE, 29W610 BUTTERFIELD ROAD, WARRENVILLE, IL 60555	
ADDRESS/LOCATION	29W610 BUTTERFIELD ROAD, WARRENVILLE, IL 60555	
PIN	04-34-105-025	
TWSP./CTY. BD. DIST.	WINFIELD	DISTRICT 6
ZONING/LUP	R-3 SF RES	0-5 DU AC
AREA	0.29 ACRES (12,632 SQ. FT.)	
UTILITIES	WELL/SEPTIC	
PUBLICATION DATE	Daily Herald: JULY 16, 2024	
PUBLIC HEARING	WEDNESDAY, JULY 31, 2024	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	No Objections.	
Stormwater:	Our office has no jurisdiction in this matter.	
Public Works:	“DPC PW doesn’t own any sewer or water in the area, they are in the Naperville District.”	
EXTERNAL:		
City of Warrenville:	Objects. “City staff has reviewed and is not supportive of the request. City cannot permit storage of recreational vehicles in required yards or in front of property line. The City does not believe this meets the variance hardship criteria. Consideration of other locations for storage of the boat (i.e. in the back yard) is required.”	
City of Aurora:	<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.:	<i>No Comments Received.</i>	

Sch. Dist. 200:	<i>No Comments Received.</i>
Forest Preserve:	“The Forest Preserve District of DuPage County staff have reviewed in t provided in this notice and do not have any specific comments. Thank yo

GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Front Yard:	30'	APPROX. 5'	APPROX. 5'

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-3 SF RES	HOUSE	0-5 DU AC
North	ROW AND BEYOND R-3 SF RES	HOUSE	0-5 DU AC
South	BUTTERFIELD FRONTAGE ROAD AND BEYOND CITY OF WARRENVILLE	HOUSE	CITY OF WARRENVILLE
East	R-3 SF RES	HOUSE	0-5 DU AC
West	HOME AVENUE AND BEYOND R-3 SF RES	HOUSE	0-5 DU AC

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on July 31, 2024, recommends to deny the following zoning relief:

1. Variation to allow a boat on trailer (24' x 8' Recreational Vehicle) in front of the front wall.
2. Variation to reduce the front yard setback from required 30' to approximately 5' to park a boat on trailer (24'x8' Recreational Vehicle).

ZHO Recommendation to Deny

WHEREAS, the County Board Development Committee on August 20, 2024, considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and on a motion to approve, the motion failed relative to the following zoning relief:

1. Variation to allow a boat on trailer (24' x 8' Recreational Vehicle) in front of the front wall.
2. Variation to reduce the front yard setback from required 30' to approximately 5' to park a boat on trailer (24'x8' Recreational Vehicle).

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

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County, Illinois that the following

zoning relief be granted:

1. Variation to allow a boat on trailer (24' x 8' Recreational Vehicle) in front of the front wall.
2. Variation to reduce the front yard setback from required 30' to approximately 5' to park a boat on trailer (24'x8' Recreational Vehicle), on the property hereinafter described:

LOT 32 IN TAYLOR AND POWERS GARDEN ACRES, BEING A SUBDIVISION IN THE NORTH ½ OF SECTION 34, TOWNSHIP 39 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 19, 1929 AS DOCUMENT 286552, IN DUPAGE COUNTY, ILLINOIS; and

BE IT FURTHER ORDAINED by the County Board of DuPage County, Illinois that should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid; and

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; TODD GRIESE, 29W610 BUTTERFIELD ROAD, WARRENVILLE, IL 60555; and Township

Assessor, Winfield Township, 130 Arbor Avenue, West Chicago, IL 60185.

Enacted and approved this 27th day of August, 2024 at Wheaton, Illinois.

DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest: _____

JEAN KACZMAREK, COUNTY CLERK



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board
FROM: DuPage County Development Committee
DATE: August 20, 2024
RE: **ZONING-24-000023 Griese (Winfield/District 6)**

DuPage County Board: August 27, 2024: *(If the County Board seeks to approve the zoning relief it will require a $\frac{3}{4}$ majority vote {14 votes} to approve based on the recommendation to deny by the Zoning Hearing Officer)*

DuPage County Development Committee: August 20, 2024: The Motion to Approve failed relative to the following zoning relief:

1. Variation to allow a boat on trailer (24' x 8' Recreational Vehicle) in front of the front wall.
2. Variation to reduce the front yard setback from required 30' to approximately 5' to park a boat on trailer (24'x8' Recreational Vehicle).

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

Zoning Hearing Officer: July 31, 2024: The Zoning Hearing Officer recommended to deny the following zoning relief:

1. Variation to allow a boat on trailer (24' x 8' Recreational Vehicle) in front of the front wall.
2. Variation to reduce the front yard setback from required 30' to approximately 5' to park a boat on trailer (24'x8' Recreational Vehicle).

ZHO Recommendation to Deny

FINDINGS OF FACT:

- A. That petitioner testified that the purpose of the proposed zoning relief is to allow a boat on a trailer to remain in front of the front wall, within the front yard setback.
- B. That the previous record from a public hearing held on May 15, 2024, for ZONING-24-000023 Griese was adopted at the July 31, 2024, public hearing.
- C. That petitioner testified that he has lived at the subject property for approximately twenty-five (25) years.
- D. That petitioner testified that he purchased the subject \$50,000 boat in early 2024 and that he would like to keep the boat on his property.
- E. That petitioner testified that he cannot place the subject boat in the rear yard due to an existing shed and septic field, and that he cannot place the boat in the interior side yard due to the existing well-head location.
- F. That petitioner testified that the subject boat would require a ten (10) foot wide gate in order to access the rear yard and that he would be unable to even place the boat in the rear yard due to the existing septic field and shed location.
- G. That the Zoning Hearing Officer finds that petitioner has not demonstrated or provided sufficient evidence to allow a boat on a trailer to remain in front of the front wall, within the front yard setback and that the plat of survey provided by the petitioner indicates ample room to place the subject boat within the rear yard or on the side of the subject house, behind the front wall of the house.
 - Furthermore, that petitioner has not provided evidence (i.e., well/septic plans) as to where the existing septic field, septic tank, and well-head are located, and therefore, the Zoning Hearing Officer could not determine if the subject boat would negatively impact the well and septic utilities in the rear yard or side yard.

STANDARDS FOR VARIATIONS:

- 1. That the Zoning Hearing Officer finds that petitioner **has not 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 not demonstrated** the granting of the Variation 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 the existing boat on trailer in front of the front wall of the house will not impair an adequate supply of light and air to adjacent property.

- b. Increase the hazard from fire or other dangers to said property as petitioner **has not demonstrated** or provided sufficient evidence that the existing boat on trailer in front of the front wall of the house will not increase the hazard from fire or other dangers.
- c. Diminish the value of land and buildings throughout the County as petitioner **has not demonstrated** or provided sufficient evidence that the existing boat on trailer in front of the front wall of the house 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 not demonstrated** or provided sufficient evidence that the existing boat on a trailer in front of the front wall of the house will 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 the existing boat on a trailer in front of the front wall of the house 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 not demonstrated** or provided sufficient evidence that the existing boat on a trailer in front of the front wall of the house 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 not demonstrated** or provided sufficient evidence that the existing boat on a trailer in front of the front wall of the house will not impair the public health, safety, comfort, morals or general welfare.

PETITIONER'S DEVELOPMENT FACT SHEET

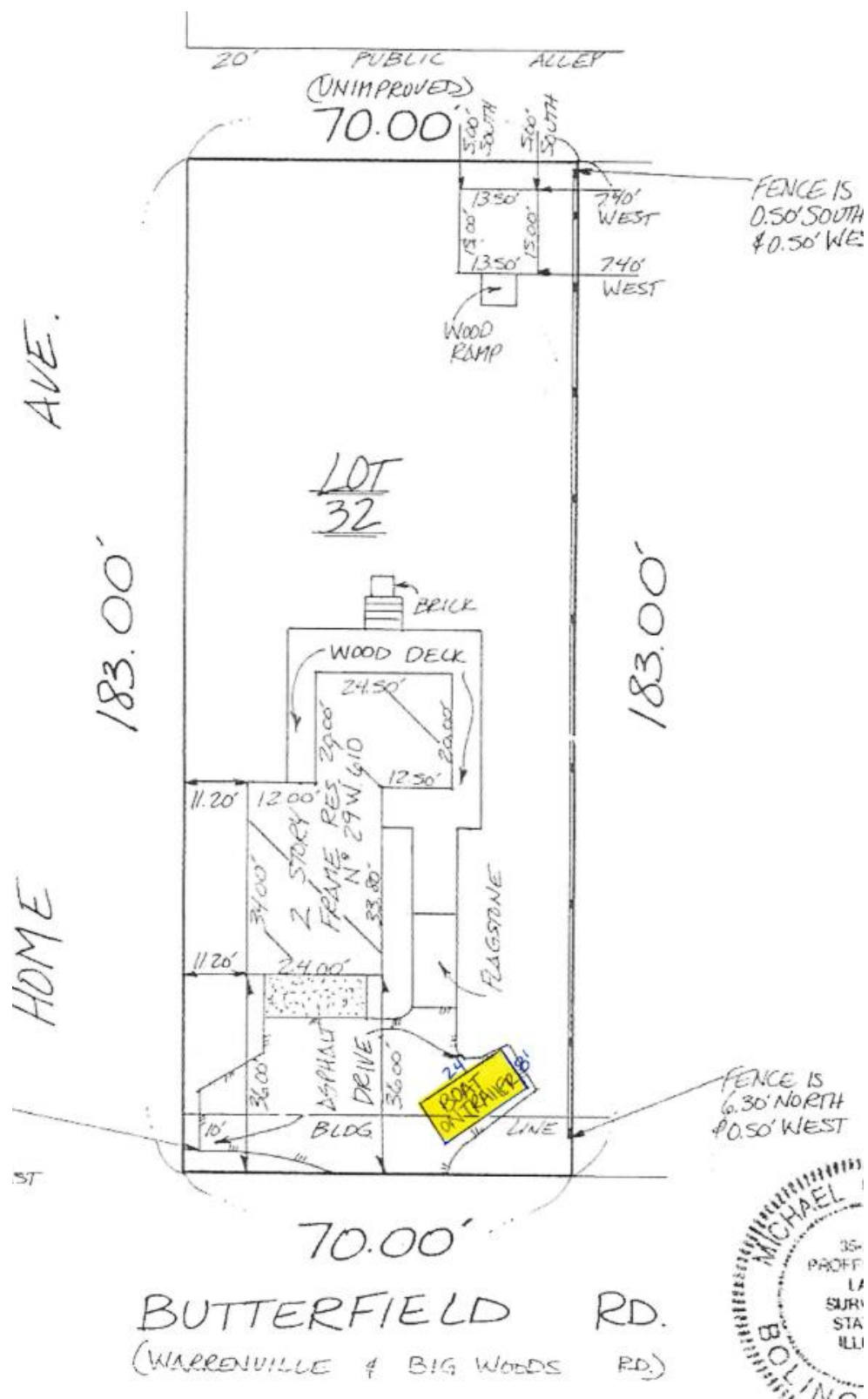
GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-24-000023 Griese
ZONING REQUEST	<ol style="list-style-type: none"> Variation to allow a boat on trailer (24' x 8' Recreational Vehicle) in front of the front wall. Variation to reduce the front yard setback from required 30' to approximately 5' to park a boat on trailer (24'x8' Recreational Vehicle).
OWNER	TODD GRIESE, 29W610 BUTTERFIELD ROAD, WARRENVILLE, IL 60555
ADDRESS/LOCATION	29W610 BUTTERFIELD ROAD, WARRENVILLE, IL 60555
PIN	04-34-105-025
TWSP./CTY. BD. DIST.	WINFIELD DISTRICT 6
ZONING/LUP	R-3 SF RES 0-5 DU AC
AREA	0.29 ACRES (12,632 SQ. FT.)
UTILITIES	WELL/SEPTIC
PUBLICATION DATE	Daily Herald: JULY 16, 2024
PUBLIC HEARING	WEDNESDAY, JULY 31, 2024
ADDITIONAL INFORMATION:	
Building:	No Objections.
DUDOT:	Our office has no jurisdiction in this matter.
Health:	No Objections.
Stormwater:	Our office has no jurisdiction in this matter.
Public Works:	"DPC PW doesn't own any sewer or water in the area, they are in the Naperville Sanitary District."
EXTERNAL:	
City of Warrenville:	<p>Objects.</p> <p>"City staff has reviewed and is not supportive of the request. City ordinances do not permit storage of recreational vehicles in required yards or in front of the building line. The City does not believe this meets the variance hardship criteria. Staff supports consideration of other locations for storage of the boat (i.e. in the back yard)."</p>
City of Aurora:	<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.:	<i>No Comments Received.</i>
Sch. Dist. 200:	<i>No Comments Received.</i>
Forest Preserve:	"The Forest Preserve District of DuPage County staff have reviewed in the information provided in this notice and do not have any specific comments. Thank you."

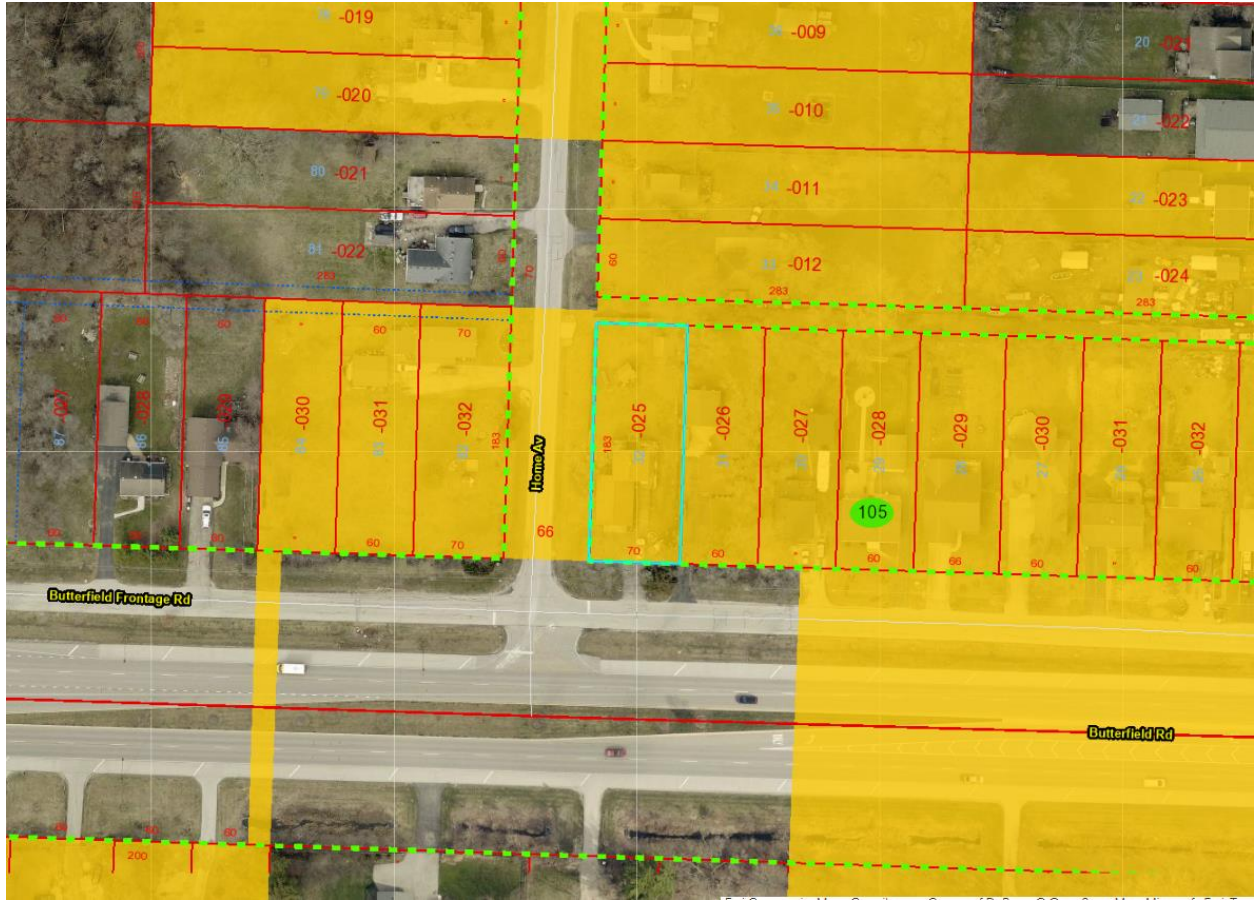
GENERAL BULK REQUIREMENTS:

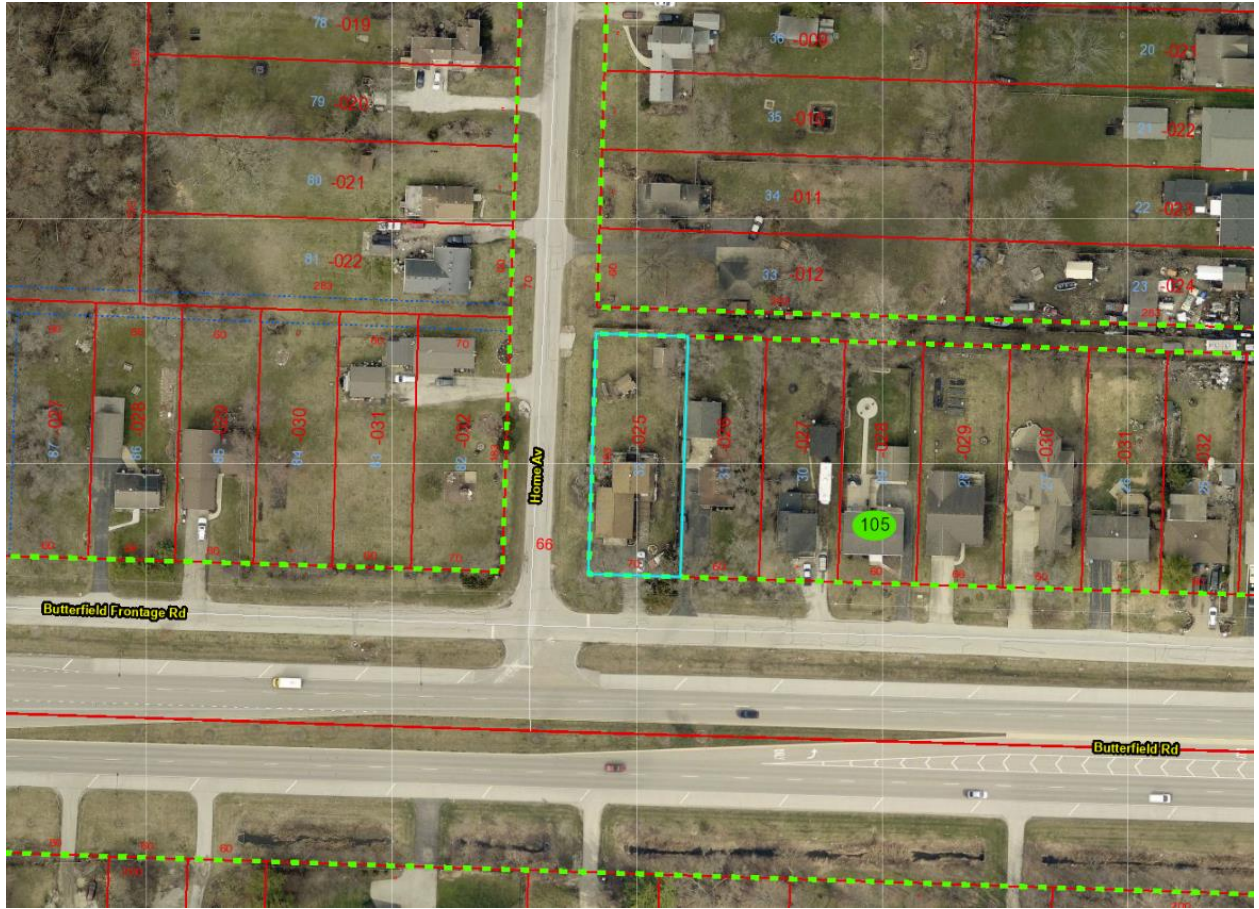
REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Front Yard:	30'	APPROX. 5'	APPROX. 5'

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-3 SF RES	HOUSE	0-5 DU AC
North	ROW AND BEYOND R-3 SF RES	HOUSE	0-5 DU AC
South	BUTTERFIELD FRONTAGE ROAD AND BEYOND CITY OF WARRENVILLE	HOUSE	CITY OF WARRENVILLE
East	R-3 SF RES	HOUSE	0-5 DU AC
West	HOME AVENUE AND BEYOND R-3 SF RES	HOUSE	0-5 DU AC











DUPAGE COUNTY

Building Division

Zoning & Planning Division

Environmental Division

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

DU PAGE COUNTY ZONING HEARING OFFICER PROGRAM Zoning Petition ZONING-24-000023 Griese

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 or via facsimile at 630-407-6702 by **JULY 30, 2024**.

COMMENT SECTION:	
: OUR OFFICE HAS NO JURISDICTION IN THIS MATTER	
: NO OBJECTION/CONCERNS WITH THE PETITION	
: NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION.	
ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION	
<input checked="" type="checkbox"/> : I OBJECT/ HAVE CONCERNS WITH THE PETITION.	
COMMENTS: City staff has reviewed and is not supportive of the request. City ordinances do not permit storage of recreational vehicles in required yards or in front of the building line. The City does not believe this meets the variance hardship criteria. Staff supports consideration of other locations for storage of the boat (i.e. in the back yard).	
SIGNATURE: _____ DATE: July 17, 2024	
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT: City of Warrenville	
GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-24-000023 Griese
ZONING REQUEST	1. Variation to allow a boat on trailer (24' x 8' Recreational Vehicle) in front of the front wall. 2. Variation to reduce the front yard setback from required 30' to approximately 5' to park a boat on trailer (24'x8' Recreational Vehicle).
OWNER	TODD GRIESE, 29W610 BUTTERFIELD ROAD, WARRENVILLE, IL 60555
ADDRESS/LOCATION	29W610 BUTTERFIELD ROAD, WARRENVILLE, IL 60555
PIN	04-34-105-025
TWSP./CTY. BD. DIST.	WINFIELD DISTRICT 6
ZONING/LUP	R-3 SF RES 0-5 DU AC
AREA	0.29 ACRES (12,632 SQ. FT.)
UTILITIES	WELL/SEPTIC
PUBLICATION DATE	Daily Herald: JULY 16, 2024
PUBLIC HEARING	WEDNESDAY, JULY 31, 2024

1

Jack T. Knuepfer Administration Building, 421 N. County Farm Road, Wheaton, Illinois 60187



Development Ordinance

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: DC-O-0052-24

Agenda Date: 8/20/2024

Agenda #: 11.C.

Zoning Petition ZONING-24-000035 Bagalanon (10%)

WHEREAS, a public hearing was held on July 24, 2024, in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

WHEREAS, a petition was presented at this hearing requesting the following zoning relief:

Variation to increase the total size of a new single-family home from permitted 2,547 sq. ft. to approximately 2,741 sq. ft. (Variation is for 194 sq. ft which is 7.6% increase), on the property hereinafter described:

LOT 16 IN BLOCK 13 IN GARY AVENUE GARDENS, BEING A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 8, 1927, AS DOCUMENT 237266, IN DUPAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on July 24, 2024 does find as follows:

FINDINGS OF FACT:

- A. That petitioner testified that the subject zoning relief is to increase the total size of a new single-family home from permitted 2,547 sq. ft. to approximately 2,741 sq. ft. (Variation is for 194 sq. ft which is 7.6% increase).
- B. That petitioner testified that the while the subject property is a separate parcel and has always been a separate parcel since the subdivision of the neighborhood was created, it was previously considered part of the adjacent lot/address, which is also owned by the petitioner's family and contains an existing house.
 - a. That petitioner testified that the subject property previously contained the adjacent home's garage and that the garage was recently demolished, leaving the subject property vacant and buildable as for a separate single-family home.
 - b. That petitioner testified that he has lived at the adjacent home since 2006 and that they require a new home that would be accessible for the elderly care of his in-laws.
- C. That petitioner testified that the proposed single-family ranch home on the subject property would allow for an

accessible home to serve as the dwelling for his family, including his self, wife, children, and his in-laws.

- D. That petitioner testified that he requires the additional 7.6% square footage for the proposed home as they require additional space for elderly care in the proposed ranch home.
- E. That the Zoning Hearing Officer finds that petitioner has demonstrated sufficient evidence for a practical difficulty and particular hardship, as petitioner indicated that as the proposed single-family home will be a ranch home, they require an additional 194 sq. ft. to allow space for elderly care and accessibility of his in-laws, and that the additional square footage is less than 10% over what is permitted on the subject property.

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 single-family home will meet all required setbacks and height requirements and 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 single-family home, 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 single-family home 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 single-family home 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 single-family home 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 single-family home 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 single-family home 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-24-000035 Bagalanon (10%)
ZONING REQUEST	Variation to increase the total size of a new single home from permitted 2,547 sq. ft. to approximately 2,741 sq. ft. (Variation is for 194 sq. ft which is 7.6% increase)
OWNER	STERJA GJICA, 1N157 MORSE STREET, CAROL STREAM, IL 60188 / AGENT: PHILIP BAGALANON, 1N157 MORSE STREET, CAROL STREAM, IL 60188
ADDRESS/LOCATION	1N157 MORSE STREET, CAROL STREAM, IL 60188
PIN	05-05-412-011
TWSP./CTY. BD. DIST.	MILTON DISTRICT 6
ZONING/LUP	R-4 SF RES 0-5 DU AC
AREA	0.17 ACRES (7,405 SQ. FT.)
UTILITIES	WELL/SEWER
PUBLICATION DATE	Daily Herald: JULY 9, 2024
PUBLIC HEARING	WEDNESDAY, JULY 24, 2024
ADDITIONAL INFORMATION:	
Building:	No Objections.
DUDOT:	Our office has no jurisdiction in this matter.
Health:	No Objections.
Stormwater:	No Objection with the concept of the petition. Additional information may be provided at the time of permit application.
Public Works:	“DPC PW doesn’t have any sewer or water mains in the area, they are in Sanitary District.”
EXTERNAL:	
Village of Carol Stream:	<i>No Comments Received.</i>
Village of Winfield:	<i>No Comments Received.</i>
Village of Glendale Heights:	“The Village has no comment relative to this matter.”
Village of Glen Ellyn:	<i>No Comments Received.</i>
City of Wheaton:	<i>No Comments Received.</i>
Milton Township:	<i>No Comments Received.</i>
Township Highway:	<i>No Comments Received.</i>
Carol Stream 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 have reviewed the information provided in this Notice and do not have any specific comments. Thank you.”

GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Floor Area Ratio:	0.35	NA	0.37

LAND USE:

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	HOUSE	0-5 DU AC
North	R-4 SF RES	HOUSE	0-5 DU AC
South	R-4 SF RES	VACANT	0-5 DU AC
East	R-4 SF RES	HOUSE	0-5 DU AC
West	MORSE STREET AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on July 24, 2024, recommends to approve the following zoning relief:

Variation to increase the total size of a new single-family home from permitted 2,547 sq. ft. to approximately 2,741 sq. ft. (Variation is for 194 sq. ft which is 7.6% increase).

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-24-000035 Bagalanon (10%)** dated July 24, 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

WHEREAS, the County Board Development Committee on August 20, 2024, considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and recommends to approve the following zoning relief:

Variation to increase the total size of a new single-family home from permitted 2,547 sq. ft. to approximately 2,741 sq. ft.

(Variation is for 194 sq. ft which is 7.6% increase).

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-24-000035 Bagalanon (10%)** dated July 24, 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): 4 Ayes, 0 Nays, 2 Absent

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County, Illinois that the following zoning relief be granted:

Variation to increase the total size of a new single-family home from permitted 2,547 sq. ft. to approximately 2,741 sq. ft. (Variation is for 194 sq. ft which is 7.6% increase), on the property hereinafter described:

LOT 16 IN BLOCK 13 IN GARY AVENUE GARDENS, BEING A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 8, 1927, AS DOCUMENT 237266, IN DUPAGE COUNTY, ILLINOIS; and

The Zoning Relief is 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-24-000035 Bagalanon (10%)** dated July 24, 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.

BE IT FURTHER ORDAINED by the County Board of DuPage County, Illinois that should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid; and

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; STERJA GJICA, 1N157 MORSE STREET, CAROL STREAM, IL 60188 / AGENT: PHILIP BAGALANON, 1N157 MORSE STREET, CAROL STREAM, IL 60188; and Township Assessor, Milton Township, 1492 N. Main Street, Wheaton, IL 60187.

Enacted and approved this 27th day of August, 2024 at Wheaton, Illinois.

DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest: _____

JEAN KACZMAREK, COUNTY CLERK



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: August 20, 2024

RE: **ZONING-24-000035 Bagalanon (10%) (Milton/District 6)**

DuPage County Board: August 27, 2024:

DuPage County Development Committee: August 20, 2024: The DuPage County Development Committee recommended to approve the following zoning relief:

Variation to increase the total size of a new single-family home from permitted 2,547 sq. ft. to approximately 2,741 sq. ft. (Variation is for 194 sq. ft which is 7.6% increase).

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-24-000035 Bagalanon (10%)** dated July 24, 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): 4 Ayes, 0 Nays, 2 Absent

Zoning Hearing Officer: July 24, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to increase the total size of a new single-family home from permitted 2,547 sq. ft. to approximately 2,741 sq. ft. (Variation is for 194 sq. ft which is 7.6% increase).

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-24-000035 Bagalanon (10%) dated July 24, 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 increase the total size of a new single-family home from permitted 2,547 sq. ft. to approximately 2,741 sq. ft. (Variation is for 194 sq. ft which is 7.6% increase).
- B. That petitioner testified that the while the subject property is a separate parcel and has always been a separate parcel since the subdivision of the neighborhood was created, it was previously considered part of the adjacent lot/address, which is also owned by the petitioner's family and contains an existing house.
 - a. That petitioner testified that the subject property previously contained the adjacent home's garage and that the garage was recently demolished, leaving the subject property vacant and buildable as for a separate single-family home.
 - b. That petitioner testified that he has lived at the adjacent home since 2006 and that they require a new home that would be accessible for the elderly care of his in-laws.
- C. That petitioner testified that the proposed single-family ranch home on the subject property would allow for an accessible home to serve as the dwelling for his family, including his self, wife, children, and his in-laws.
- D. That petitioner testified that he requires the additional 7.6% square footage for the proposed home as they require additional space for elderly care in the proposed ranch home.
- E. That the Zoning Hearing Officer finds that petitioner has demonstrated sufficient evidence for a practical difficulty and particular hardship, as petitioner indicated that as the proposed single-family home will be a ranch home, they require an additional 194 sq. ft. to allow space for elderly care and accessibility of his in-laws, and that the additional square footage is less than 10% over what is permitted on the subject property.

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 single-family home will meet all required setbacks and height requirements and 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 single-family home, 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 single-family home 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 single-family home 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 single-family home 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 single-family home 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 single-family home 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

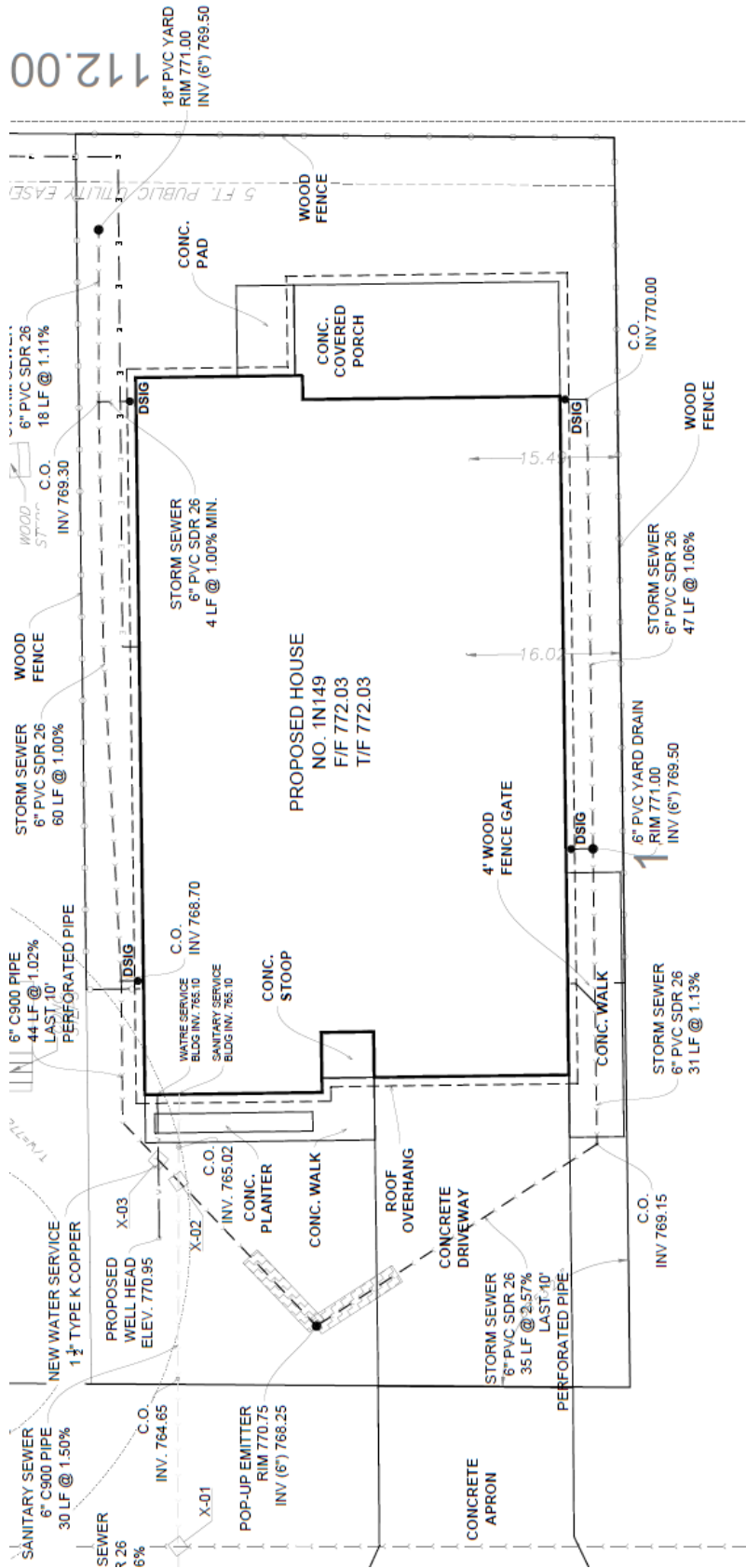
GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-24-000035 Bagalanon (10%)	
ZONING REQUEST	Variation to increase the total size of a new single-family home from permitted 2,547 sq. ft. to approximately 2,741 sq. ft. (Variation is for 194 sq. ft which is 7.6% increase).	
OWNER	STERJA GJICA, 1N157 MORSE STREET, CAROL STREAM, IL 60188 / AGENT: PHILIP BAGALANON, 1N157 MORSE STREET, CAROL STREAM, IL 60188	
ADDRESS/LOCATION	1N157 MORSE STREET, CAROL STREAM, IL 60188	
PIN	05-05-412-011	
TWSP./CTY. BD. DIST.	MILTON	DISTRICT 6
ZONING/LUP	R-4 SF RES	0-5 DU AC
AREA	0.17 ACRES (7,405 SQ. FT.)	
UTILITIES	WELL/SEWER	
PUBLICATION DATE	Daily Herald: JULY 9, 2024	
PUBLIC HEARING	WEDNESDAY, JULY 24, 2024	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	No Objections.	
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 have any sewer or water mains in the area, they are in the Wheaton Sanitary District."	
EXTERNAL:		
Village of Carol Stream:	<i>No Comments Received.</i>	
Village of Winfield:	<i>No Comments Received.</i>	
Village of Glendale Heights:	"The Village has no comment relative to this matter."	
Village of Glen Ellyn:	<i>No Comments Received.</i>	
City of Wheaton:	<i>No Comments Received.</i>	
Milton Township:	<i>No Comments Received.</i>	
Township Highway:	<i>No Comments Received.</i>	
Carol Stream 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 have reviewed the information provided in this Notice and do not have any specific comments. Thank you."	

GENERAL BULK REQUIREMENTS:

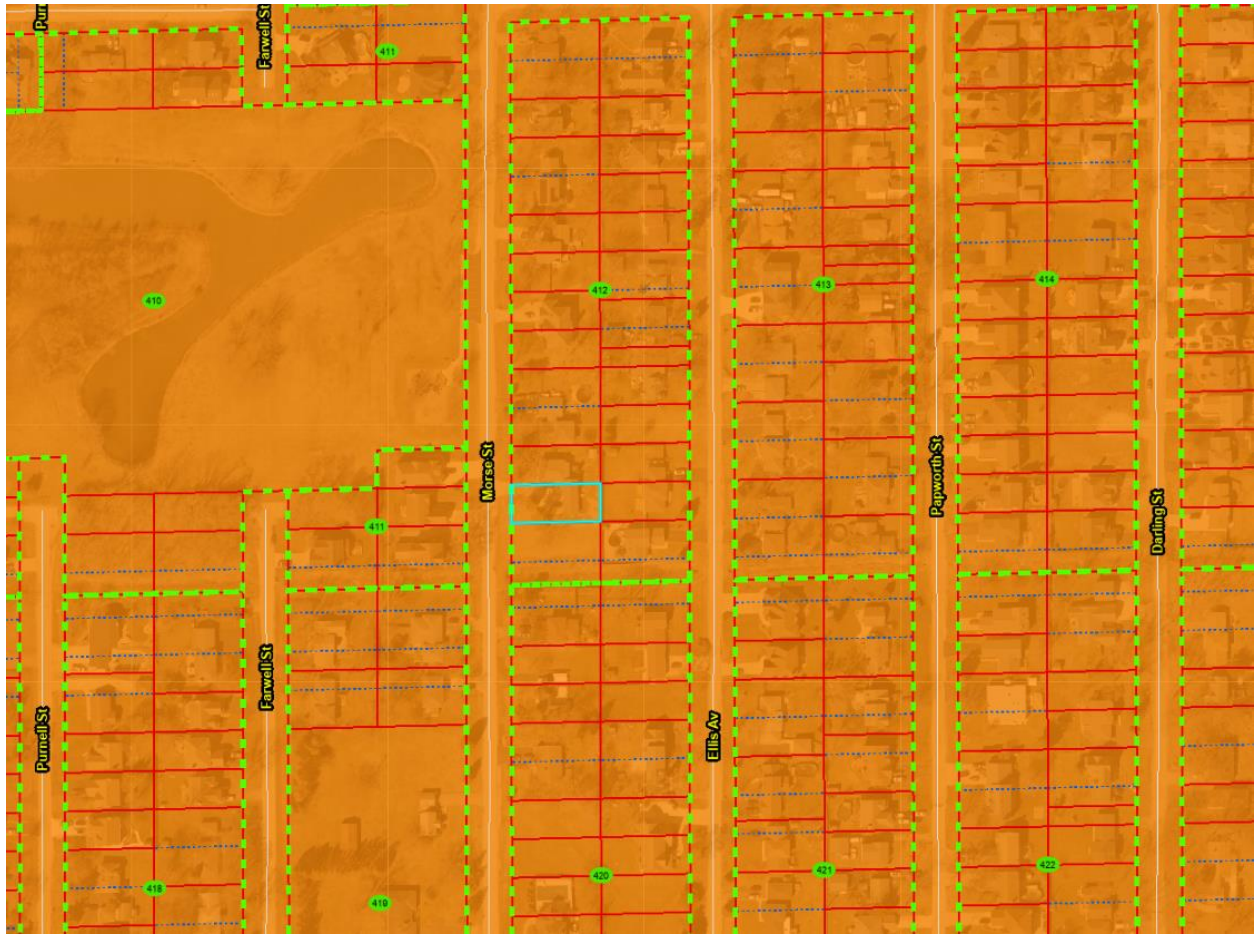
REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Floor Area Ratio:	0.35	NA	0.37

LAND USE:

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	HOUSE	0-5 DU AC
North	R-4 SF RES	HOUSE	0-5 DU AC
South	R-4 SF RES	VACANT	0-5 DU AC
East	R-4 SF RES	HOUSE	0-5 DU AC
West	MORSE STREET AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC







Sent: Tuesday, July 23, 2024 12:23 PM

To: Infelise, Jessica <Jessica.Infelise@dupagecounty.gov>

Cc: Hoss, Paul <Paul.Hoss@dupagecounty.gov>

Subject: Re: PUBLIC NOTICE - Zoning Petition ZONING-24-000035 Bagalanon (10%)

[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 (and Paul),

Thank you very much, Jessica, for our recent conversations and your help to me in understanding this process.

I am reiterating my response of June 15, which has not changed, here for tomorrow's meeting below:

Per the advice of legal, appraisal, and real estate professionals, I must reject to the granting of the requested variance.

Thank you,
Susan Jurewicz



Development Ordinance

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: DC-O-0053-24

Agenda Date: 8/20/2024

Agenda #: 11.D.

Zoning Petition ZONING-24-000040 Jimenez

WHEREAS, a public hearing was held on July 24, 2024, in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

WHEREAS, a petition was presented at this hearing requesting the following zoning relief:

1. Variation to reduce the west interior side setback from required 20 feet to approximately 13 feet for a house addition.
2. Variation to reduce the east interior side setback from required 20 feet to approximately 10 feet for a house addition, on the property hereinafter described:

LOT 44 IN PRINCE CROSSING FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 23, 1927 AS DOCUMENT 247293, IN DUPAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on July 24, 2024, does find as follows:

FINDINGS OF FACT:

- A. That petitioner testified that the subject zoning relief is to reduce the west and east interior side setbacks for a house addition.
- B. That petitioner testified that the subject property is currently zoned R-1 Single Family Residential, which requires twenty (20) foot side yard setbacks, and that the existing home was built less than twenty (20) feet from the interior side property lines.
- C. That petitioner testified that the existing home was built on an angle, and that zoning relief would be required in order to build an addition on the subject home due to the existing layout of the subject property.
- D. That petitioner testified that they have lived at the subject property for approximately seven (7) years.
- 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 built on an angle (not perpendicular to the street) with the house setback less than twenty (20) feet on the interior sides, and that in order to build an addition onto the existing home, the addition would be less than twenty (20) feet from the interior side property lines due to the layout of the subject house on the property.

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-24-000040 Jimenez
ZONING REQUEST	1. Variation to reduce the west interior side setback required 20 feet to approximately 13 feet for a home addition. 2. Variation to reduce the east interior setback from required 20 feet to approximately 10 feet for a home addition.
OWNER	MANUEL & CYNTHIA JIMENEZ, 28W649 HICKORY LANE, WEST CHICAGO, IL 60185
ADDRESS/LOCATION	28W649 HICKORY LANE, WEST CHICAGO, IL 60185
PIN	04-02-103-004
TWSP./CTY. BD. DIST.	WINFIELD DISTRICT 6
ZONING/LUP	R-1 SF RES 0-5 DU AC
AREA	0.55 ACRES (23,958 SQ. FT.)
UTILITIES	WELL/SEPTIC
PUBLICATION DATE	Daily Herald: JULY 9, 2024
PUBLIC HEARING	WEDNESDAY, JULY 24, 2024
ADDITIONAL INFORMATION:	
Building:	No Objections.
DUDOT:	Our office has no jurisdiction in this matter.
Health:	No Objections. “Health Department permit ONOO25079 was approved for this project.”
Stormwater:	No Objection with the concept of the petition. Additional information may be provided at the time of permit application.
Public Works:	“DPC PW doesn’t have any sewer or water mains in the area, they are in the Sanitary District.”
EXTERNAL:	
City of West Chicago:	<i>No Comments Received.</i>
Village of Carol Stream:	<i>No Comments Received.</i>
Village of Winfield:	<i>No Comments Received.</i>
Winfield Township:	<i>No Comments Received.</i>
Township Highway:	Our office has no jurisdiction in this matter.
West Chicago Fire Dist.:	<i>No Comments Received.</i>
Sch. Dist. 25:	“Benjamin 25 has no concerns with this zoning appeal.”
Sch. Dist. 94:	<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 for your request.”
GENERAL BULK REQUIREMENTS:	

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Int. Side Yard:	20'	20'	13'
Int. Side Yard:	20'	11'8"	10'

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-1 SF RES	HOUSE	0-5 DU AC
North	HICKORY LANE AND BEYOND R-1 SF RES	HOUSE	0-5 DU AC
South	R-1 SF RES	HOUSE	0-5 DU AC
East	R-1 SF RES	HOUSE	0-5 DU AC
West	R-1 SF RES	HOUSE	0-5 DU AC

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on July 24, 2024, recommends to approve the following zoning relief:

1. Variation to reduce the west interior side setback from required 20 feet to approximately 13 feet for a house addition.
2. Variation to reduce the east interior side setback from required 20 feet to approximately 10 feet for a house addition.

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-24-000040 Jimenez** dated July 24, 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

WHEREAS, the County Board Development Committee on August 20, 2024, considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and recommends to approve the following zoning relief:

1. Variation to reduce the west interior side setback from required 20 feet to approximately 13 feet for a house addition.
2. Variation to reduce the east interior side setback from required 20 feet to approximately 10 feet for a house addition.

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-24-000040 Jimenez** dated July 24, 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): 4 Ayes, 0 Nays, 2 Absent

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County, Illinois that the following zoning relief be granted:

1. Variation to reduce the west interior side setback from required 20 feet to approximately 13 feet for a house addition.
2. Variation to reduce the east interior side setback from required 20 feet to approximately 10 feet for a house addition, on the property hereinafter described:

LOT 44 IN PRINCE CROSSING FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 23, 1927 AS DOCUMENT 247293, IN DUPAGE COUNTY, ILLINOIS; and

The Zoning Relief is 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-24-000040 Jimenez** dated July 24, 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.

BE IT FURTHER ORDAINED by the County Board of DuPage County, Illinois that should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid; and

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; MANUEL & CYNTHIA JIMENEZ, 28W649 HICKORY LANE, WEST CHICAGO, IL 60185; and Township Assessor, Winfield Township, 130 Arbor Avenue, West Chicago, IL 60185.

Enacted and approved this 27th day of August, 2024 at Wheaton, Illinois.

DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest: _____

JEAN KACZMAREK, COUNTY CLERK



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board
FROM: DuPage County Development Committee
DATE: August 20, 2024
RE: **ZONING-24-000040 Jimenez (Winfield/District 6)**

DuPage County Board: August 27, 2024:

DuPage County Development Committee: August 20, 2024: The DuPage County Development Committee recommended to approve the following zoning relief:

1. Variation to reduce the west interior side setback from required 20 feet to approximately 13 feet for a house addition.
2. Variation to reduce the east interior side setback from required 20 feet to approximately 10 feet for a house addition.

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-24-000040 Jimenez** dated July 24, 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): 4 Ayes, 0 Nays, 2 Absent

Zoning Hearing Officer: July 24, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

1. Variation to reduce the west interior side setback from required 20 feet to approximately 13 feet for a house addition.
2. Variation to reduce the east interior side setback from required 20 feet to approximately 10 feet for a house addition.

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-24-000040 Jimenez dated July 24, 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 west and east interior side setbacks for a house addition.
- B. That petitioner testified that the subject property is currently zoned R-1 Single Family Residential, which requires twenty (20) foot side yard setbacks, and that the existing home was built less than twenty (20) feet from the interior side property lines.
- C. That petitioner testified that the existing home was built on an angle, and that zoning relief would be required in order to build an addition on the subject home due to the existing layout of the subject property.
- D. That petitioner testified that they have lived at the subject property for approximately seven (7) years.
- 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 built on an angle (not perpendicular to the street) with the house setback less than twenty (20) feet on the interior sides, and that in order to build an addition onto the existing home, the addition would be less than twenty (20) feet from the interior side property lines due to the layout of the subject house on the property.

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-24-00040 Jimenez	
ZONING REQUEST	1. Variation to reduce the west interior side setback from required 20 feet to approximately 13 feet for a house addition. 2. Variation to reduce the east interior side setback from required 20 feet to approximately 10 feet for a house addition.	
OWNER	MANUEL & CYNTHIA JIMENEZ, 28W649 HICKORY LANE, WEST CHICAGO, IL 60185	
ADDRESS/LOCATION	28W649 HICKORY LANE, WEST CHICAGO, IL 60185	
PIN	04-02-103-004	
TWSP./CTY. BD. DIST.	WINFIELD	DISTRICT 6
ZONING/LUP	R-1 SF RES	0-5 DU AC
AREA	0.55 ACRES (23,958 SQ. FT.)	
UTILITIES	WELL/SEPTIC	
PUBLICATION DATE	Daily Herald: JULY 9, 2024	
PUBLIC HEARING	WEDNESDAY, JULY 24, 2024	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	No Objections. "Health Department permit ONOO25079 was approved for this project."	
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 have any sewer or water mains in the area, they are in West Chicago Sanitary District."	
EXTERNAL:		
City of West Chicago:	<i>No Comments Received.</i>	
Village of Carol Stream:	<i>No Comments Received.</i>	
Village of Winfield:	<i>No Comments Received.</i>	
Winfield Township:	<i>No Comments Received.</i>	
Township Highway:	Our office has no jurisdiction in this matter.	
West Chicago Fire Dist.:	<i>No Comments Received.</i>	
Sch. Dist. 25:	"Benjamin 25 has no concerns with this zoning appeal."	
Sch. Dist. 94:	<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."	

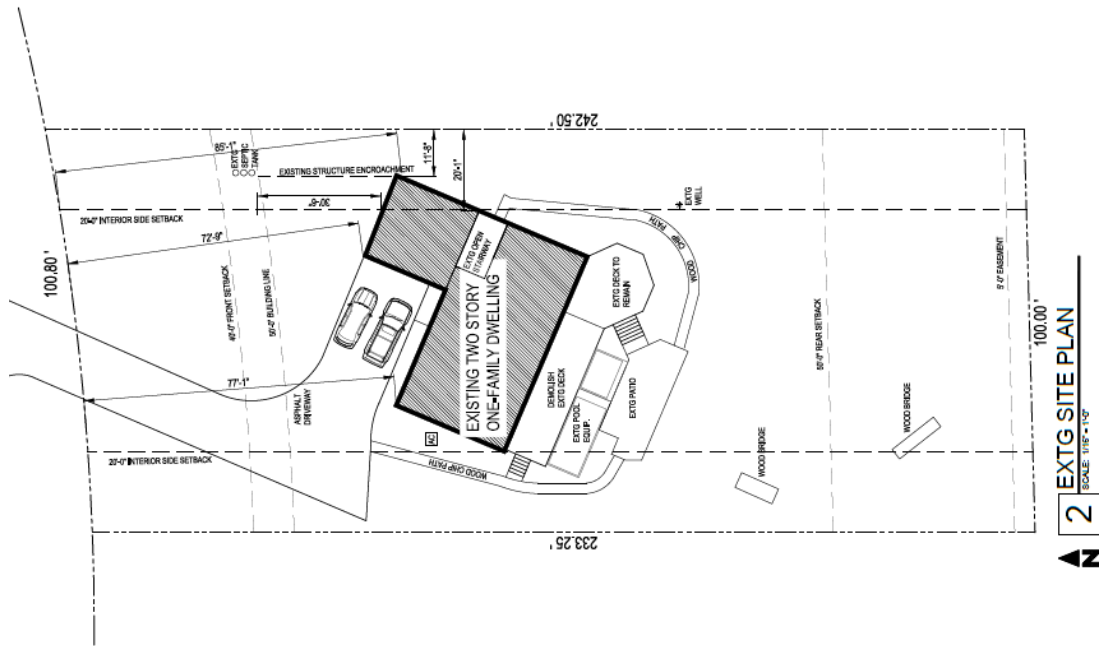
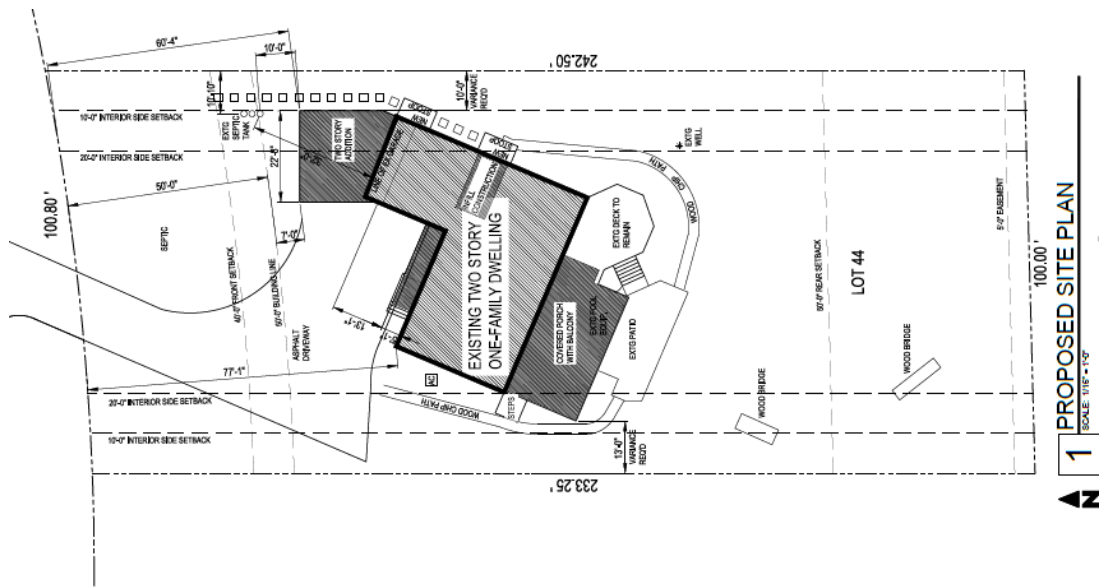
GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Int. Side Yard:	20'	20'	13'

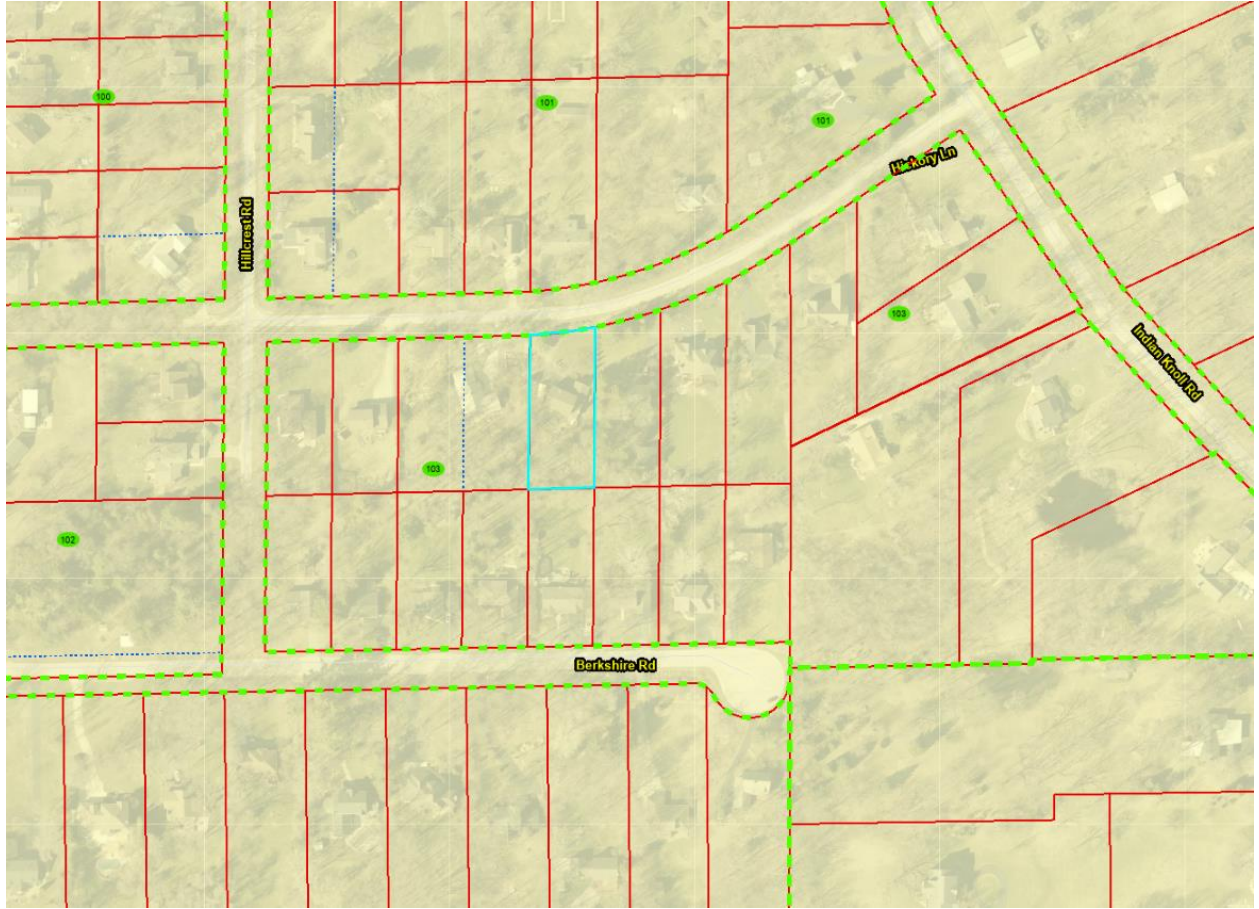
Int. Side Yard:	20'	11'8"	10'
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LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-1 SF RES	HOUSE	0-5 DU AC
North	HICKORY LANE AND BEYOND R-1 SF RES	HOUSE	0-5 DU AC
South	R-1 SF RES	HOUSE	0-5 DU AC
East	R-1 SF RES	HOUSE	0-5 DU AC
West	R-1 SF RES	HOUSE	0-5 DU AC











Development Ordinance

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: DC-O-0054-24

Agenda Date: 8/20/2024

Agenda #: 11.E.

Zoning Petition ZONING-24-000050 Stout

WHEREAS, a public hearing was held on July 31, 2024, in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

WHEREAS, a petition was presented at this hearing requesting the following zoning relief:

Variation to allow a 4-H project for a property that is less than 40,000 sq. ft. in size (approximately 32,754 sq. ft.) to have a miniature horse and donkey, on the property on the property hereinafter described:

LOT 1 IN STEVEN'S RE SUBDIVISION OF LOT 3 N BLOCK 3 IN H.M. CORNELL AND CO'S DU PAGE FOREST ESTATES, BEING A SUBDIVISION OF THAT PART OF BROPHY PARK SUBDIVISION (NOW VACATED) LYING NORTH OF THE NORTHERLY LINE OF ROOSEVELT ROAD IN SECTION 14 AND 15, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED JULY 18, 1957 AS DOCUMENT 849672, IN DU PAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on July 31, 2024, does find as follows:

FINDINGS OF FACT:

- A. That petitioner testified that the subject zoning relief is for a Variation to allow a 4-H project for a property that is less than 40,000 sq. ft. in size (approximately 32,754 sq. ft.) to have a miniature horse and donkey on the property.
- B. That petitioner testified that she has lived at the subject property for approximately eleven (11) years.
- C. That petitioner testified that she purchased the subject property in 2013, and at that time, the property size was listed as approximately one (1) acre in size.
- D. That petitioner testified that at some point, approximately thirty (30) feet was taken from the property for right-of-way purposes and that due to this taking, petitioner's land size was reduced to less than one (1) acre in size.
- E. That petitioner testified that no additional physical changes are required on the subject property as she already has an existing barn to house the miniature horse and miniature donkey on the property.

- F. That petitioner testified that she inherited the subject miniature horse and donkey from a previous neighbor, and that she took care of the subject miniature horse and miniature donkey for several years before acquiring them.
- G. That petitioner testified and presented evidence that the miniature horse and miniature donkey are companion animals that cannot be ridden and that they are smaller in size than a Great Dane dog, approximately thirty-six (36) inches in height.
- H. That petitioner testified that she has started the process to become a 4-H Leader for the University of Illinois - Illinois Extension 4-H Program for her miniature horse and miniature donkey.
- I. That the Zoning Hearing Officer finds that petitioner has demonstrated a particular hardship and unique circumstance in relation to the subject property, as the property was previously approximately one (1) acre in size, and that due to a taking for right-of-way purposes, the subject property size was reduced to just under 40,000 sq. ft. in size. Furthermore, that the Zoning Hearing Officer finds that if the subject property was still considered 40,000 sq. ft. in size, petitioner would be permitted as of right to have a 4-H project on the subject property.

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 4-H Project will meet all required setbacks and height requirements and 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 have already received a permit for the barn on the subject property and that it was 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 4-H Project 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 4-H Project 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 4-H Project 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 4-H Project 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 4-H Project 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-24-000050 Stout
ZONING REQUEST	Variation to allow a 4-H project for a property th than 40,000 sq. ft. in size (approximately 32,754 have a miniature horse and donkey on the proper
OWNER	STACEY STOUT, 0S425 RIVER GLEN ROAD CHICAGO, IL 60185
ADDRESS/LOCATION	0S425 RIVER GLEN ROAD, WEST CHICAGO
PIN	04-15-402-003
TWSP./CTY. BD. DIST.	WINFIELD DISTRICT 6
ZONING/LUP	R-1 SF RES 0-5 DU AC
AREA	0.75 ACRES (32,754 SQ. FT.)
UTILITIES	WELL/SEPTIC
PUBLICATION DATE	Daily Herald: JULY 16, 2024
PUBLIC HEARING	WEDNESDAY, JULY 31, 2024
ADDITIONAL INFORMATION:	
Building:	No Objections.
DUDOT:	Our office has no jurisdiction in this matter.
Health:	No Objections.
Stormwater:	Our office has no jurisdiction in this matter.
Public Works:	“DPC PW doesn’t own any sewer or water in the area, they are in the W Sanitary District.”
EXTERNAL:	
City of West Chicago:	<i>No Comments Received.</i>
City of Warrenville:	<i>No Comments Received.</i>
Village of Winfield:	<i>No Comments Received.</i>
Winfield Township:	<i>No Comments Received.</i>
Township Highway:	Our office has no jurisdiction in this matter.
West Chicago Fire Dist.	<i>No Comments Received.</i>
Sch. Dist. 33:	<i>No Comments Received.</i>
Sch. Dist. 94:	<i>No Comments Received.</i>
Forest Preserve:	“The Forest Preserve District of DuPage County staff have reviewed the provided in this Notice and do not have any specific comments. Thank y

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-1 SF RES	HOUSE	0-5 DU AC
North	R-1 SF RES	HOUSE	0-5 DU AC
South	R-1 SF RES	HOUSE	0-5 DU AC
East	R-1 SF RES	HOUSE	0-5 DU AC
West	RIVER GLEN DRIVE AND BEYOND R-1 SF RES	HOUSE	0-5 DU AC

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on July 31, 2024, recommends to approve the following zoning relief:

Variation to allow a 4-H project for a property that is less than 40,000 sq. ft. in size (approximately 32,754 sq. ft.) to have a miniature horse and donkey on the property.

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-24-000050 Stout** dated July 31, 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

WHEREAS, the County Board Development Committee on August 20, 2024, considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and recommends to approve the following zoning relief:

Variation to allow a 4-H project for a property that is less than 40,000 sq. ft. in size (approximately 32,754 sq. ft.) to have a miniature horse and donkey on the property.

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-24-000050 Stout** dated July 31, 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): 4 Ayes, 0 Nays, 2 Absent

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County, Illinois that the following zoning relief be granted:

Variation to allow a 4-H project for a property that is less than 40,000 sq. ft. in size (approximately 32,754 sq. ft.) to have a miniature horse and donkey, on the property on the property hereinafter described:

LOT 1 IN STEVEN'S RE SUBDIVISION OF LOT 3 N BLOCK 3 IN H.M. CORNELL AND CO'S DU PAGE FOREST ESTATES, BEING A SUBDIVISION OF THAT PART OF BROPHY PARK SUBDIVISION (NOW VACATED) LYING NORTH OF THE NORTHERLY LINE OF ROOSEVELT ROAD IN SECTION 14 AND 15, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED JULY 18, 1957 AS DOCUMENT 849672, IN DU PAGE COUNTY, ILLINOIS; and

The Zoning Relief is 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-24-000050 Stout** dated July 31, 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.

BE IT FURTHER ORDAINED by the County Board of DuPage County, Illinois that should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid; and

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; STACEY STOUT, 0S425 RIVER GLEN ROAD, WEST CHICAGO, IL 60185; and Township Assessor, Winfield Township, 130 Arbor Avenue, West Chicago, IL 60185.

Enacted and approved this 27th day of August, 2024 at Wheaton, Illinois.

DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest: _____

JEAN KACZMAREK, COUNTY CLERK



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board
FROM: DuPage County Development Committee
DATE: August 20, 2024
RE: **ZONING-24-000050 Stout (Winfield/District 6)**

DuPage County Board: August 27, 2024:

DuPage County Development Committee: August 20, 2024: The DuPage County Development Committee recommended to approve the following zoning relief:

Variation to allow a 4-H project for a property that is less than 40,000 sq. ft. in size (approximately 32,754 sq. ft.) to have a miniature horse and donkey on the property.

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-24-000050 Stout** dated July 31, 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): 4 Ayes, 0 Nays, 2 Absent

Zoning Hearing Officer: July 31, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to allow a 4-H project for a property that is less than 40,000 sq. ft. in size (approximately 32,754 sq. ft.) to have a miniature horse and donkey on the property.

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-24-000050 Stout dated July 31, 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 for a Variation to allow a 4-H project for a property that is less than 40,000 sq. ft. in size (approximately 32,754 sq. ft.) to have a miniature horse and donkey on the property.
- B. That petitioner testified that she has lived at the subject property for approximately eleven (11) years.
- C. That petitioner testified that she purchased the subject property in 2013, and at that time, the property size was listed as approximately one (1) acre in size.
- D. That petitioner testified that at some point, approximately thirty (30) feet was taken from the property for right-of-way purposes and that due to this taking, petitioner's land size was reduced to less than one (1) acre in size.
- E. That petitioner testified that no additional physical changes are required on the subject property as she already has an existing barn to house the miniature horse and miniature donkey on the property.
- F. That petitioner testified that she inherited the subject miniature horse and donkey from a previous neighbor, and that she took care of the subject miniature horse and miniature donkey for several years before acquiring them.
- G. That petitioner testified and presented evidence that the miniature horse and miniature donkey are companion animals that cannot be ridden and that they are smaller in size than a Great Dane dog, approximately thirty-six (36) inches in height.
- H. That petitioner testified that she has started the process to become a 4-H Leader for the University of Illinois – Illinois Extension 4-H Program for her miniature horse and miniature donkey.

- I. That the Zoning Hearing Officer finds that petitioner has demonstrated a particular hardship and unique circumstance in relation to the subject property, as the property was previously approximately one (1) acre in size, and that due to a taking for right-of-way purposes, the subject property size was reduced to just under 40,000 sq. ft. in size. Furthermore, that the Zoning Hearing Officer finds that if the subject property was still considered 40,000 sq. ft. in size, petitioner would be permitted as of right to have a 4-H project on the subject property.

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 4-H Project will meet all required setbacks and height requirements and 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 have already received a permit for the barn on the subject property and that it was 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 4-H Project 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 4-H Project 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 4-H Project 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 4-H Project 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 4-H Project will not impair the public health, safety, comfort, morals, or general welfare and will be an added benefit to the neighborhood.

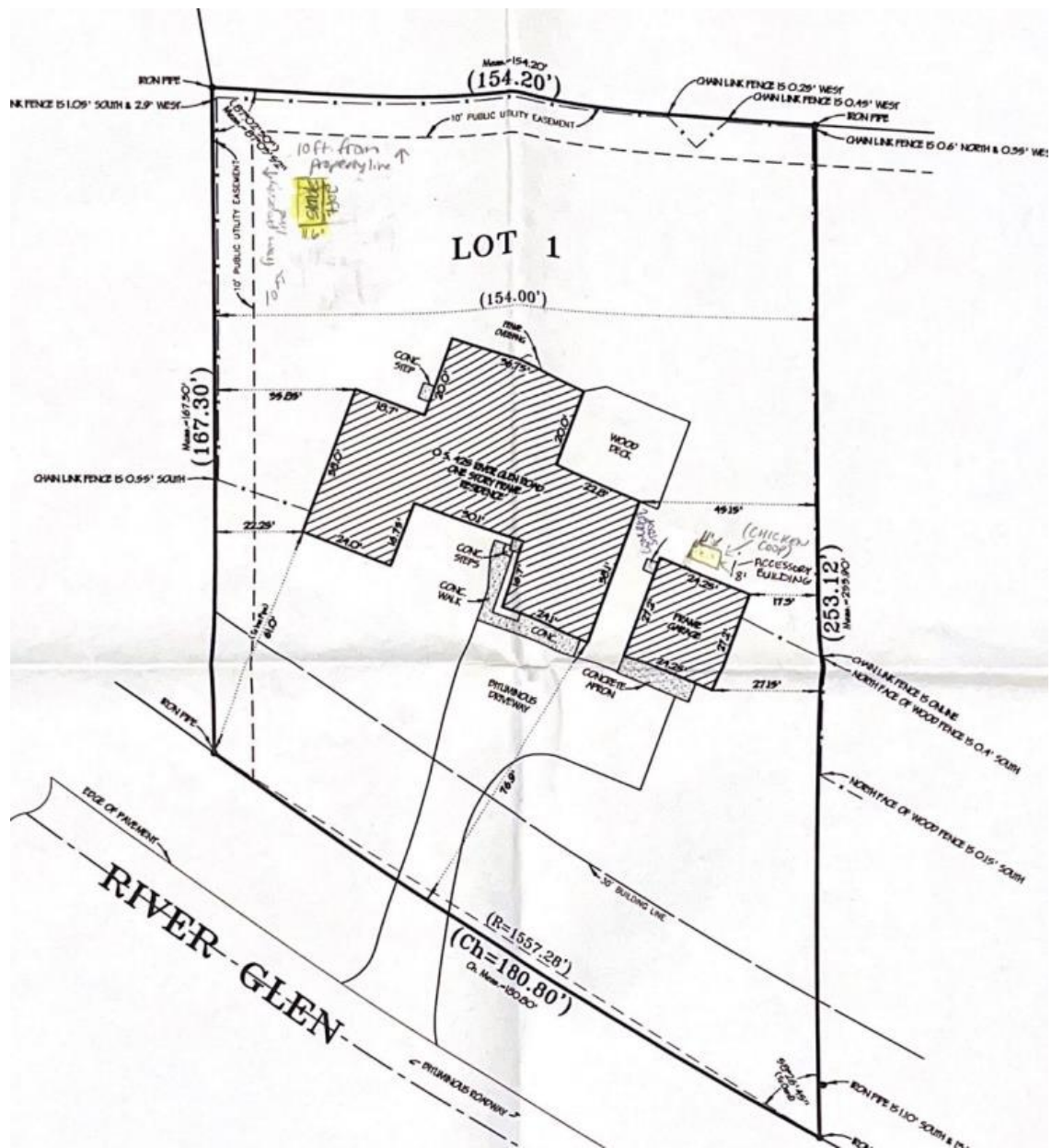
PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-24-000050 Stout
ZONING REQUEST	Variation to allow a 4-H project for a property that is less than 40,000 sq. ft. in size (approximately 32,754 sq. ft.) to have a miniature horse and donkey on the property.
OWNER	STACEY STOUT, 0S425 RIVER GLEN ROAD, WEST CHICAGO, IL 60185
ADDRESS/LOCATION	0S425 RIVER GLEN ROAD, WEST CHICAGO, IL 60185
PIN	04-15-402-003
TWSP./CTY. BD. DIST.	WINFIELD DISTRICT 6
ZONING/LUP	R-1 SF RES 0-5 DU AC
AREA	0.75 ACRES (32,754 SQ. FT.)
UTILITIES	WELL/SEPTIC
PUBLICATION DATE	Daily Herald: JULY 16, 2024
PUBLIC HEARING	WEDNESDAY, JULY 31, 2024
ADDITIONAL INFORMATION:	
Building:	No Objections.
DUDOT:	Our office has no jurisdiction in this matter.
Health:	No Objections.
Stormwater:	Our office has no jurisdiction in this matter.
Public Works:	"DPC PW doesn't own any sewer or water in the area, they are in the West Chicago Sanitary District."
EXTERNAL:	
City of West Chicago:	<i>No Comments Received.</i>
City of Warrenville:	<i>No Comments Received.</i>
Village of Winfield:	<i>No Comments Received.</i>
Winfield Township:	<i>No Comments Received.</i>
Township Highway:	Our office has no jurisdiction in this matter.
West Chicago Fire Dist.:	<i>No Comments Received.</i>
Sch. Dist. 33:	<i>No Comments Received.</i>
Sch. Dist. 94:	<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."

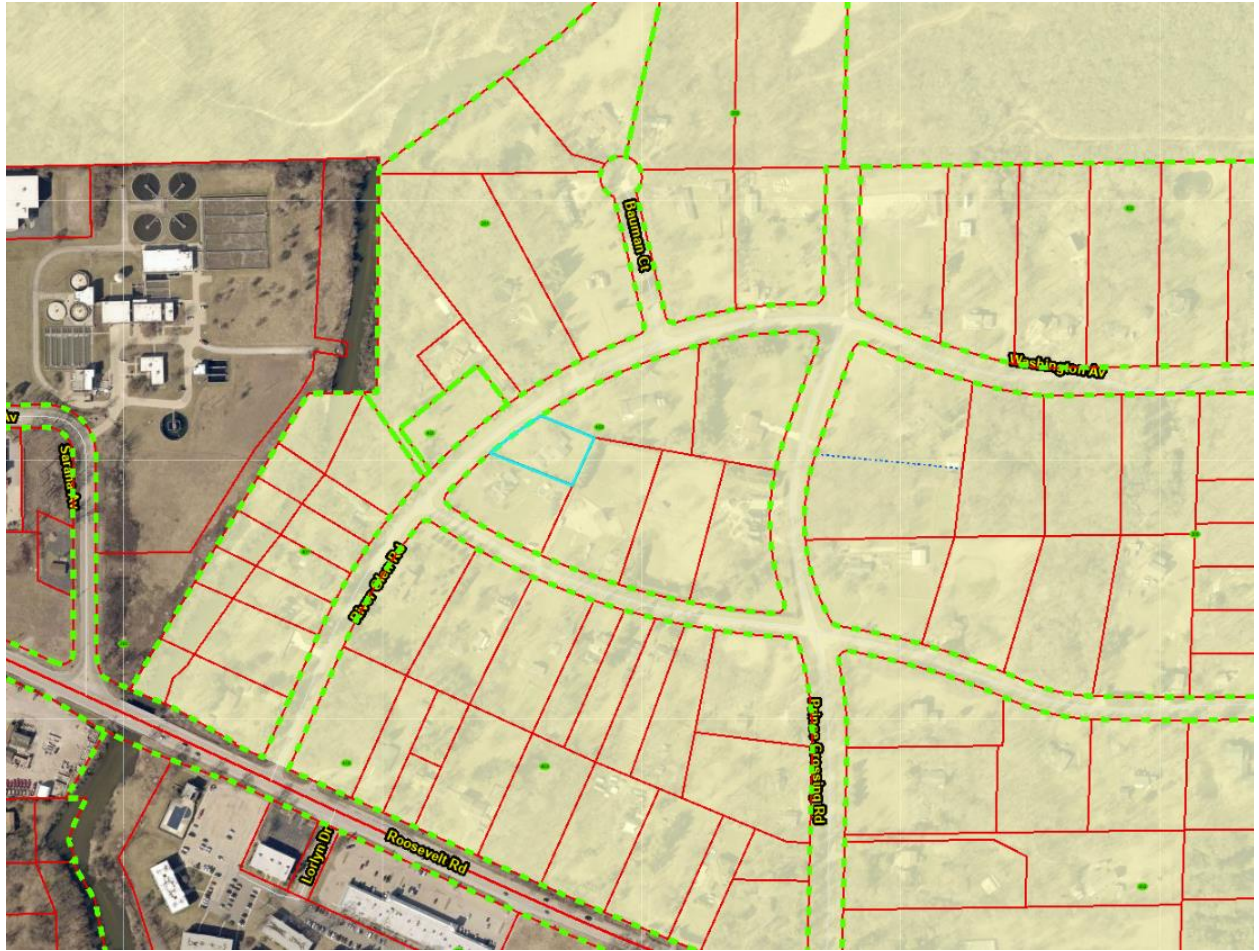
LAND USE

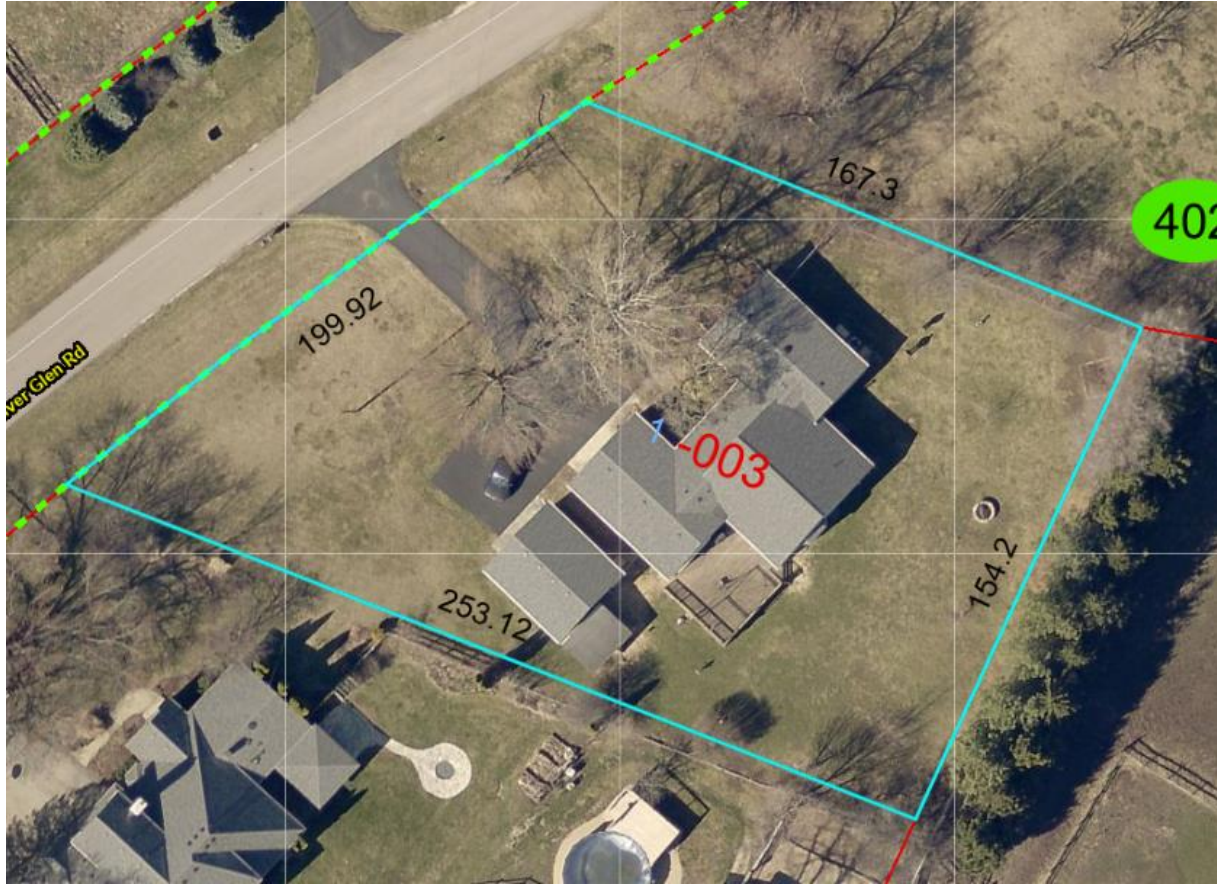
Location	Zoning	Existing Use	LUP
Subject	R-1 SF RES	HOUSE	0-5 DU AC
North	R-1 SF RES	HOUSE	0-5 DU AC

South	R-1 SF RES	HOUSE	0-5 DU AC
East	R-1 SF RES	HOUSE	0-5 DU AC
West	RIVER GLEN DRIVE AND BEYOND R-1 SF RES	HOUSE	0-5 DU AC











Great Dane Dog – 35 inches



Miniature Donkey – 33 inches



Miniature Horse – 38 inches



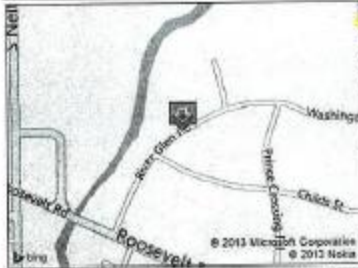
Size comparison of a horse 63 inches
versus a donkey 33 inches.



Size comparison of a Great Dane dog
across from a horse, miniature horse and
miniature donkey.



Detached Single MLS #: 09433279 List Price: \$339,900
 Status: A-CTV List Date: 08/30/2013 Orig. List Price: \$349,900
 Area: 185 Lot Dt Rec: 08/30/2013 Sold Price:
 Address: 05425 River Glen, West Chicago, Illinois 60185
 Directions: Roosevelt to River Glen (East of Rt. 59) North to home,
 Lt. Mkt. Time: 34
 Polts:
 Closed: Contract: Financing: Contingency:
 Off Market: Year Built: 1961 Bt Before Yr: Yes Curr. Leased: No
 Dimensions: 180X167X154X253
 Ownership: Fee Simple Subdivision: Model: Ranch
 County: DuPage
 Corp Limits: Unincorporated Township: Winfield # Fireplaces: 0
 Coordinates: N S E W: Bathrooms: 3 / 1 (H/Half) Parking: Garage, Exterior Space(s)
 Rooms: 9 Master Bath: Full # Spaces: Gar: 4
 Bedrooms: 5 Basement: Full Bermt. Bath: Yes Exb6
 Basement: Full Bermt. Bath: Yes Parking Incl: Yes
 In Price:



Remarks: Country living & modern conveniences on almost 1 acre horse country. 5 BEDRM Ranch w/in-law arrangement, Gar space for 4 cars. Finished basement w/full ba, washer-dryer sec sys, water chlorination & soft sys. 644-sq-ft deck w/SunSetter awning & beautiful indoor. Huge kit w/double oven & island. Formal Din area seats up to 15. Relax on deck & watch the horses roam. Low Taxed Piece of Mind with Home Warranty Included. Come Look!
School Data
 Elementary: Indian Knoll (33)
 Junior High: West Chicago (33)
 High School: 94
 Other:
Assessments
 Amount: \$0
 Frequency: Not Applicable
Tax
 Amount: \$7,821
 PIN: 0418402003
 Mult PIN:
 Tax Year: 2012
 Tax Exmp: Homeowner
Miscellaneous
 Waterfront: No
 Appx SF: 2670
 SF Source: Assessor
 Acreage:
 Special Assessments: No
 Special Service Area: No
 Master Association: No

Room Name	Size	Level	Flooring	Win Trmt.	Room Name	Size	Level	Financing	Win Trmt.
Living Room		Not Applicable			Master Bedroom	17X12	Main Level	Carpet	
Dining Room	21X12	Main Level	Ceramic Tile		2nd Bedroom	23X12	Main Level	Carpet	
Kitchen	21X18	Main Level			3rd Bedroom	12X10	Main Level		
Family Room	25X20	Main Level			4th Bedroom	11X10	Main Level		
Laundry Room					Recreation Room	25X18	Lower		
5th Bedroom	12X9	Main Level							

Interior Property Features: Vaulted/Cathedral Ceilings, Hardwood Floors, 1st Floor Bedroom, 1st Floor Full Bath
Exterior Property Features: Deck, Storms/Screens
 Age: 51-60 Years
 Type: 1 Story
 Style: Ranch
 Exterior: Aluminum Siding
 Air Cond: Central Air
 Heating: Gas, Forced Air, Zoned
 Kitchen: Eating Area-Breakfast Bar, Eating Area-Table Space, Island, Pantry-Closet
 Appliances: Oven-Double, Dishwasher, Refrigerator, Disposal
 Dining: Separate, Combined w/ FamRm
 Attic: Full
 Basement Details: Finished
 Bath Area:
 Fireplace Details:
 Fireplace Location:
 Electricity:
 Equipment: Humidifier, CO Detectors, Sump Pump, Backup Sump Pump, Power Generator
 Additional Rooms: 5th Bedroom, Recreation Room
 Garage Ownership: Owned
 Garage On Site: Yes
 Garage Type: Attached, Detached
 Garage Details: Garage Door Opener(s), Transmitter(s)
 Parking Ownership: Owned
 Parking On Site: Yes
 Parking Details: Off Street
 Driveway: Asphalt
 Foundation: Concrete
 Est Bat/Ind:
 Disability Access: No
 Disability Details:
 Exposure:
 Lot Size: .50-.99 Acre
 Lot Desc: Fenced Yard, Landscaped Professionally, Wooded
 Roof: Asphalt/Glass (Shingles)
 Sewer: Septic-Private
 Water: Well-Private
 Const Opt:
 General Info: School Bus Service
 Amenities: Horse-Community Barn, Horse-Riding Area, Horse-Riding Trails, Street Paved
 Asmt Incl: None
 HERS Index Score:
 Green Disc:
 Green Rating Source:
 Green Tests:
 Sale Terms: Conventional, FHA, VA
 Possession: Closing
 Occ Date:
 Addl. Sales Info: None
 Agent Owned/Interest: No
 Walk Score@: 32 - Car-Dependent

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 Prepared By: Patty Fecken | Coldwell Banker Residential | 10/02/2013 07:41:28
 MLS #: 09433279



Detached Single MLS #: 06325612 List Price: \$374,900
 Status: CLSD Lat Date: 10/30/2006 Orig List Price: \$434,900
 Area: 185 Lot Of Rec: 10/30/2006 Sold Price: \$362,500
 Address: 05425 River Glen, West Chicago, Illinois 60185
 Directions: ROOSEVELT TO RIVER GLEN (EAST OF RT. 59) NORTH TO HOME
 Lot. Met. Time: 204
 Closed: 08/17/2007 Contract: 05/21/2007 Points:
 Off Mark: 05/21/2007 Financing: Conventional Contingency:
 Year Built: 1991 Bk Before 76: Yes Curr. Leased:
 Dimensions: 180X167X154X253
 Ownership: Fee Simple Subdivision: Model:
 Corp Limits: Unincorporated Township: Winfield County: DuPage
 Coordinates: W-29 # Fireplaces: 0
 Rooms: 10 Bathrooms: 3 / 1 (Full) Parking: Garage
 Bedrooms: 5 Master Bath: Full # Spaces: Gar: 2
 Basement: Partial Bsmnt. Bath: Yes Parking Incl. In Price:



Remarks: RARE FIND! SPRAWLING REMODELED RANCH ON SCENE 9/10 ACRE, HUGE KITCHEN WITH BIRCH CABINETRY, ISLAND W/ BREAKFAST BAR, PANTRY, ALL THIS IS NEW: 720 SQ.FT. FAMILY ROOM ADDITION/PELLA WINDOWS/ FINISHED BASEMENT /HVAC/SEIDING/ROOF/SEPTIC/GENERATOR AND 6 PANEL DOORS, GREAT IN-LAW, FENCED YARD, BLOCKS TO HORSE TRAILS, HORSE BOARDING AVAILABLE NEARBY. 3% COMMISSION & \$1000 BONUS TO AGENT WITH CLOSING BEFORE 6/30/07, GORGEOUS!

School Data
 Elementary: Indian Knoll (33)
 Junior High: West Chicago (33)
 High School: (94)

Other:

Assessments	Tax	Miscellaneous
Amount: \$0	Amount: \$4,663.52	Waterfront: No
Frequency: Not Applicable	PIN: 0415402003	Appl SF: 2670
Special Assessments: No	Mult PINs:	SF Source:
Special Service Area:	Tax Year: 2005	Acres: 0
Master Association:	Tax Exempt: Homeowner	

Room Name	Size	Level	Flooring	Win.Trmt.	Room Name	Size	Level	Flooring	Win.Trmt.
Living Room		Not Applicable			Master Bedroom	15X12	Main Level	Carpet	Y
Dining Room	11X12	Main Level	Other	None	2nd Bedroom	12X12	Main Level	Carpet	Y
Kitchen	11X18	Main Level	Ceramic Tile	None	3rd Bedroom	12X9	Main Level	Hardwood	Y
Family Room	25X20	Main Level	Other	None	4th Bedroom	12X9	Main Level	Hardwood	None
Laundry Room	10X8	Main Level	Other	None					
5th Bedroom	11X10	Main Level	Carpet	None					
Recreation Room	25X18	Basement	Vinyl	None					

Interior Property Features: 1st Floor Bedroom
Exterior Property Features: Deck, Storage Shed

Age: 26-50 Years
Type: 1 Story
Style: Ranch
Exterior: Aluminum/Vinyl/Steel Siding
Air Cond: Central Air
Heating: Gas, Forced Air, Zoned
Kitchen: Eating Area-Breakfast Bar, Eating Area-Table Space, Island
Appliances: Oven-Double, Microwave, Dishwasher-Portable, Refrigerator-Bar
Dining: Separate
Attic: Full
Basement Details: Finished, Crawl
Bath: Amn
Fireplace Details:
Fireplace Location:
Electricity:

Additional Rooms: 5th Bedroom, FAM, Recreation Room, Utility Room-1st Floor
Garage Ownership:
Garage On Site:
Garage Type:
Garage Details:
Parking Ownership:
Parking On Site:
Parking Details: Off Street, Side Apron
Driveway: Asphalt
Foundation: Concrete
Ext Sto/Fnt:
Disability Access: No
Disability Details:
Exposure:
Lot Size: .50+.99 Acre
Lot Desc: Fenced Yard

Roof: Asphalt/Glass (Shingles)
Sewer: Septic-Private
Water: Well-Private
Const Opt:
General Info:
Amenities: Horse-Riding Area, Horse-Riding Trails
Asst Incl: None
HERS Index Score:
Green Disc:
Green Rating Source:
Green Feats:
Sale Terms:
Possession: Closing
Occ Date:
Addl. Sales Info.: Home Warranty
Agent Owned/Interest: No

Equipment: TV-Cable, Sump Pump
 Copyright 2013 MRED, LLC - The accuracy of all information, regardless of source, including but not limited to square footages and lot sizes, is deemed reliable but not guaranteed and should be personally verified through personal inspection by and/or with the appropriate professionals.
 MLS #: 06325612 Prepared by: Patty Fockan | Coldwell Banker Residential | 10/02/2013 07:41 PM



To Infelise, Jessica

Tue 7/30/2024 9:59 PM

You replied to this message on 7/31/2024 7:59 AM.

[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.]

Hi my name is Diven Sulkar and I support Stacey Stout in her 4-H project.

Stacey has always been a great neighbor and her animals bring joy to everyone.

Zoning-24-000050 stout

The animals in this neighborhood make it what it is, there are not many places like this left in the suburbs. I moved back here recently from Elmhurst for this exact reason.

Zoning-24-000050 stout

Thanks,
Diven Sulkar
29w139 Childs st
West Chicago IL



To Infelise, Jessica

Wed 7/31/2024 10:21 AM

[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.]

Good morning Jessica, this is Martha Cabral and Felipe Banuelos, neighbors of Stacy Stout. We want to express our support to Stacy to have her miniature horse and donkey. We believe that these animals don't give any trouble and we always can see her or her father taking care of them. If the zoning hearing officer ask us if he should let her keep her animals, we would say yes.

Please let him know about our support.

Thank you
Martha & Felipe



Development Ordinance

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: DC-O-0055-24

Agenda Date: 8/20/2024

Agenda #: 11.F.

Zoning Petition ZONING-24-000056 McElligott

WHEREAS, a public hearing was held on July 31, 2024, in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

WHEREAS, a petition was presented at this hearing requesting the following zoning relief:

Conditional Use to allow an existing shed to remain less than 3 feet from the interior side property line (approximately 0.2 feet), where it has existed for at least 5 years, on the property hereinafter described:

LOT 15 IN BLOCK 5 IN ARTHUR T. MCINTOSH AND COMPANY'S VALLEY VIEW UNIT NO. 3, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 26 AND THE NORTH HALF OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 25, 1957 AS DOCUMENT 833354, IN DUPAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on July 31, 2024, does find as follows:

FINDINGS OF FACT:

- A. That petitioner testified that the subject zoning relief is to allow an existing shed to remain less than 3 feet from the interior side property line (approximately 0.2 feet), where it has existed for at least 5 years.
- B. That petitioner testified that he has lived at the subject property since October 2023 and that the existing shed has been on the subject property long before he purchased the home.
- C. That petitioner testified that the subject shed is used to store his lawnmower and gardening/house accessory equipment.
- D. That petitioner testified that the subject shed is made of wood with a wooden base, and that he cannot move the shed without destroying it. Furthermore, that petitioner testified that the subject shed is "locked" into its location with older trees and landscaping surrounding it.

- E. That the Zoning Hearing Officer finds that petitioner has demonstrated that the subject zoning relief to allow an existing shed to remain less than 3 feet from the interior side property line (approximately 0.2 feet), where it has existed for at least 5 years does 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.

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 existing shed 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 demonstrated** that they will receive a building permit from the County for the existing shed and that it was built 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 existing shed does not diminish the value of land throughout the County.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the existing shed is located behind the front wall of the home and does not impact traffic congestion in the public streets and highways.
 - e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that that the existing shed has not increased the potential for flood damages to the adjacent property.
 - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the existing shed 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 demonstrated** that the existing shed does 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

CASE #/PETITIONER	ZONING-24-000056 McEllig	
ZONING REQUEST	Conditional Use to allow an e than 3 feet from the interior si (approximately 0.2 feet), whe years.	
OWNER	MARY C. MILLER AND JO 22W305 HACKBERRY DRI	
ADDRESS/LOCATION	22W305 HACKBERRY DRI	
PIN	05-35-204-002	
TWSP./CTY. BD. DIST.	MILTON	DISTRICT 4
ZONING/LUP	R-4 SF RES	0-5 DU AC
AREA	0.26 ACRES (11,325 SQ. FT.)	
UTILITIES	WATER / SEWER	
PUBLICATION DATE	Daily Herald: JULY 16, 2024	
PUBLIC HEARING	WEDNESDAY, JULY 31, 20	
ADDITIONAL INFORMATION:		
Building:	No Objection with the concept of the petition. Additional information may be requ the shed is within ten feet (10’) of the house it will require a 1-hour drywall rating	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	Our office has no jurisdiction in this matter.	
Stormwater:	<i>No Comments Received.</i>	
Public Works:	“DPC PW doesn’t own any sewer or water in this area, they are located in the Gle are owned by Illinois American Water Company.”	
EXTERNAL:		
Village of Gle	<i>No Comments Received.</i>	
City of Wheat	<i>No Comments Received.</i>	
Village of Do	“The Village of Downers Grove has no comments.”	
Milton Towns	<i>No Comments Received.</i>	
Township Hig	No Objection with the concept of the petition. Additional information may be requ	
Lisle-Woodrid	“N/A”	
Sch. Dist. 89:	<i>No Comments Received.</i>	
Sch. Dist. 87:	<i>No Comments Received.</i>	
Forest Preserv	“The Forest Preserve District of DuPage County staff have reviewed the informati have any specific comments. Thank you.”	

GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Int. Side Yard:	3'	APPROX. 0.2'	APPROX. 0.2'

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-4 SF	HOUSE	0-5 DU AC
North	HACKBERRY DRIVE AND BEYOND R-4 SF	HOUSE	0-5 DU AC
South	R-4 SF	HOUSE	0-5 DU AC
East	R-4 SF	HOUSE	0-5 DU AC
West	R-4 SF	HOUSE	0-5 DU AC

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on July 31, 2024, recommends to approve the following zoning relief:

Conditional Use to allow an existing shed to remain less than 3 feet from the interior side property line (approximately 0.2 feet), where it has existed for at least 5 years.

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-24-000056 McElligott dated July 31, 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 owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
4. That petitioner maintains the existing landscaping 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

WHEREAS, the County Board Development Committee on August 20, 2024, considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and recommends to approve the following zoning relief:

Conditional Use to allow an existing shed to remain less than 3 feet from the interior side property line (approximately 0.2 feet), where it has existed for at least 5 years.

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-24-000056 McElligott dated July 31, 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 owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
4. That petitioner maintains the existing landscaping 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): 4 Ayes, 0 Nays, 2 Absent

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County, Illinois that the following zoning relief be granted:

Conditional Use to allow an existing shed to remain less than 3 feet from the interior side property line (approximately 0.2 feet), where it has existed for at least 5 years, on the property hereinafter described:

LOT 15 IN BLOCK 5 IN ARTHUR T. MCINTOSH AND COMPANY'S VALLEY VIEW UNIT NO. 3, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 26 AND THE NORTH HALF OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBERUARY 25, 1957 AS DOCUMENT 833354, IN DUPAGE COUNTY, ILLINOIS; and

The Zoning Relief is 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-24-000056 McElligott dated July 31, 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 owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
4. That petitioner maintains the existing landscaping around the perimeter of the subject property.
5. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

BE IT FURTHER ORDAINED by the County Board of DuPage County, Illinois that should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid; and

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; MARY C. MILLER AND JOSEPH MCELLIGOTT, 22W305 HACKBERRY DRIVE, GLEN ELLYN, IL 60137; and Township Assessor, Milton Township, 1492 N. Main Street, Wheaton, IL 60187.

Enacted and approved this 27th day of August, 2024 at Wheaton, Illinois.

DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest: _____

JEAN KACZMAREK, COUNTY CLERK



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: August 20, 2024

RE: **ZONING-24-000056 McElligott (Milton/District 4)**

DuPage County Board: July 27, 2024:

DuPage County Development Committee: August 20, 2024: The DuPage County Development Committee recommended to approve the following zoning relief:

Conditional Use to allow an existing shed to remain less than 3 feet from the interior side property line (approximately 0.2 feet), where it has existed for at least 5 years.

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-24-000056 McElligott** dated July 31, 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 owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.

4. That petitioner maintains the existing landscaping 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): 4 Ayes, 0 Nays, 2 Absent

Zoning Hearing Officer: July 31, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

Conditional Use to allow an existing shed to remain less than 3 feet from the interior side property line (approximately 0.2 feet), where it has existed for at least 5 years.

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-24-000056 McElligott dated July 31, 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 owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
4. That petitioner maintains the existing landscaping 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 an existing shed to remain less than 3 feet from the interior side property line (approximately 0.2 feet), where it has existed for at least 5 years.

- B. That petitioner testified that he has lived at the subject property since October 2023 and that the existing shed has been on the subject property long before he purchased the home.
- C. That petitioner testified that the subject shed is used to store his lawnmower and gardening/house accessory equipment.
- D. That petitioner testified that the subject shed is made of wood with a wooden base, and that he cannot move the shed without destroying it. Furthermore, that petitioner testified that the subject shed is “locked” into its location with older trees and landscaping surrounding it.
- E. That the Zoning Hearing Officer finds that petitioner has demonstrated that the subject zoning relief to allow an existing shed to remain less than 3 feet from the interior side property line (approximately 0.2 feet), where it has existed for at least 5 years does 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.

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 existing shed 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 demonstrated** that they will receive a building permit from the County for the existing shed and that it was built 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 existing shed does not diminish the value of land throughout the County.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the existing shed is located behind the front wall of the home and does not impact traffic congestion in the public streets and highways.
 - e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that that the existing shed has not increased the potential for flood damages to the adjacent property.
 - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the existing shed 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 demonstrated** that the existing shed does 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

CASE #/PETITIONER	ZONING-24-000056 McElligott	
ZONING REQUEST	Conditional Use to allow an existing shed to remain less than 3 feet from the interior side property line (approximately 0.2 feet), where it has existed for at least 5 years.	
OWNER	MARY C. MILLER AND JOSEPH MCELLIGOTT, 22W305 HACKBERRY DRIVE, GLEN ELLYN, IL 60137	
ADDRESS/LOCATION	22W305 HACKBERRY DRIVE, GLEN ELLYN, IL 60137	
PIN	05-35-204-002	
TWSP./CTY. BD. DIST.	MILTON	DISTRICT 4
ZONING/LUP	R-4 SF RES	0-5 DU AC
AREA	0.26 ACRES (11,325 SQ. FT.)	
UTILITIES	WATER / SEWER	
PUBLICATION DATE	Daily Herald: JULY 16, 2024	
PUBLIC HEARING	WEDNESDAY, JULY 31, 2024	
ADDITIONAL INFORMATION:		
Building:	No Objection with the concept of the petition. Additional information may be required at time of permit application. "If the shed is within ten feet (10') of the house it will require a 1-hour drywall rating on the interior."	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	Our office has no jurisdiction in this matter.	
Stormwater:	<i>No Comments Received.</i>	
Public Works:	"DPC PW doesn't own any sewer or water in this area, they are located in the Glenbard Sanitary District and the lines are owned by Illinois American Water Company."	
EXTERNAL:		
Village of Glen Ellyn:	<i>No Comments Received.</i>	
City of Wheaton:	<i>No Comments Received.</i>	
Village of Downers Grove:	"The Village of Downers Grove has no comments."	
Milton Township:	<i>No Comments Received.</i>	
Township Highway:	No Objection with the concept of the petition. Additional information may be required at time of permit application.	
Lisle-Woodridge Fire Dist.:	"N/A"	
Sch. Dist. 89:	<i>No Comments Received.</i>	
Sch. Dist. 87:	<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."	

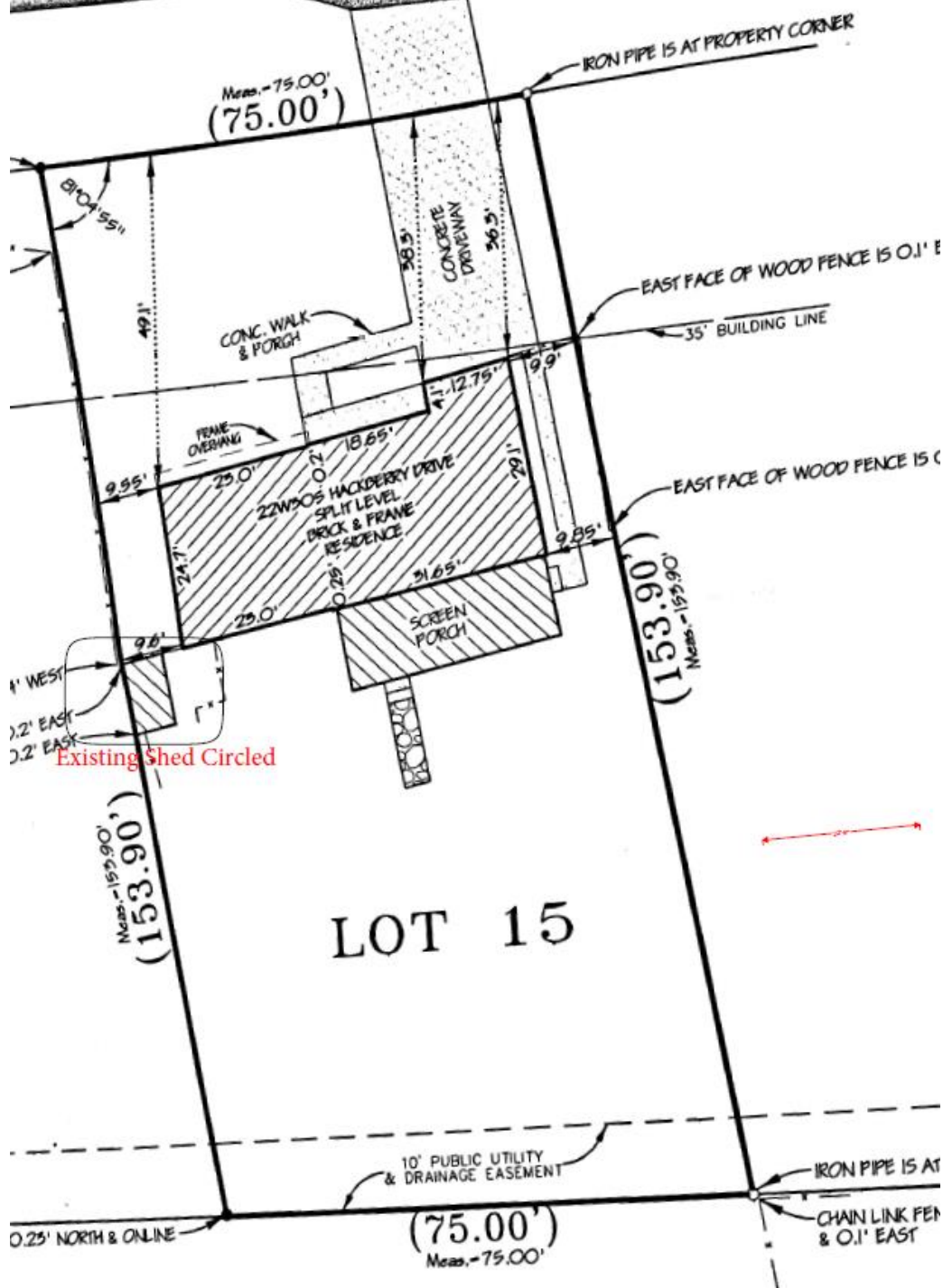
GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Int. Side Yard:	3'	APPROX. 0.2'	APPROX. 0.2'

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-4 SF	HOUSE	0-5 DU AC
North	HACKBERRY DRIVE AND BEYOND R-4 SF	HOUSE	0-5 DU AC
South	R-4 SF	HOUSE	0-5 DU AC
East	R-4 SF	HOUSE	0-5 DU AC
West	R-4 SF	HOUSE	0-5 DU AC

BERRY (66')











Development Ordinance

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: DC-O-0056-24

Agenda Date: 8/20/2024

Agenda #: 6.F.

**ZONING PETITION T-2-24 PROPOSED TEXT AMENDMENTS TO THE DUPAGE COUNTY ZONING ORDINANCE
RELATIVE TO ELECTRIC VEHICLES, ACCESSORY DWELLING UNITS, AND DWELLING UNITS.
(Waive First Reading)**

WHEREAS, a public hearing was held on July 11, 2024, in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 6:00 P.M. before the DuPage County Zoning Board of Appeals and notice of said hearing was duly given; and

WHEREAS, a petition was presented at this hearing requesting the following text amendment:

Text Amendments to the DuPage County Zoning Ordinance:

Zoning Petition T-2-24 proposed Text Amendments to the DuPage County Zoning Ordinance Chapter 37 relative to Electric Vehicles, Accessory Dwelling Units, and Dwelling Units, and attached hereto as Exhibit A:

- Add to the Permitted and Conditional Use sections to allow for electric vehicle charging stations in all nonresidential zoning districts.
- Add new residential use requirements and bulk regulations for accessory dwelling units (i.e.: number of occupants in the accessory dwelling units, number of kitchens, setback requirements of accessory dwelling units and parking requirements); and

WHEREAS, the Zoning Board of Appeals, having considered in relation to the above requested text amendment presented at the above hearing and at the recommendation meeting held on August 1, 2024, does find as follows:

FINDINGS OF FACT:

1. That the Zoning Board of Appeals finds that over the last several months, County Board members have requested staff to research various land use topics that are of importance to their constituents. Staff has completed its research and developed several proposed amendments to the County Zoning Ordinance that would address the concerns of the County Board members relative to the following:
 - Electric Vehicles
 - Accessory Dwelling Units
 - Dwelling Units
2. That the Zoning Board of Appeals finds that on Tuesday April 16, 2024, the Development Committee voted to request staff to have the proposed text amendment considered at public hearing before the Zoning Board of Appeals
3. That the Zoning Board of Appeals finds that the proposed text amendments to the DuPage County Zoning

Ordinance are important to the County in the furtherance of its goals to protect and enhance the health, welfare, and safety of its residents.

WHEREAS, the Zoning Board of Appeals, having considered in relation to the above and at the recommendation meeting held on August 1, 2024, recommended to approve following text amendments:

Text Amendments to the DuPage County Zoning Ordinance:

Zoning Petition T-2-24 proposed Text Amendments to the DuPage County Zoning Ordinance Chapter 37 relative to Electric Vehicles, Accessory Dwelling Units, and Dwelling Units, and attached hereto as Exhibit A:

- Add to the Permitted and Conditional Use sections to allow for electric vehicle charging stations in all nonresidential zoning districts.
- Add new residential use requirements and bulk regulations for accessory dwelling units (i.e.: number of occupants in the accessory dwelling units, number of kitchens, setback requirements of accessory dwelling units and parking requirements).

ZBA VOTE (to Approve): 5 Ayes, 0 Nays, 2 Absent

WHEREAS, the County Board Development Committee on August 20, 2024, considered the above findings and recommendations of the Zoning Board of Appeals and recommends to approve the following text amendment:

Text Amendments to the DuPage County Zoning Ordinance:

Zoning Petition T-2-24 proposed Text Amendments to the DuPage County Zoning Ordinance Chapter 37 relative to Electric Vehicles, Accessory Dwelling Units, and Dwelling Units, and attached hereto as Exhibit A:

- Add to the Permitted and Conditional Use sections to allow for electric vehicle charging stations in all nonresidential zoning districts.
- Add new residential use requirements and bulk regulations for accessory dwelling units (i.e.: number of occupants in the accessory dwelling units, number of kitchens, setback requirements of accessory dwelling units and parking requirements).

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

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County, Illinois that the following text amendment be granted:

Text Amendments to the DuPage County Zoning Ordinance:

Zoning Petition T-2-24 proposed Text Amendments to the DuPage County Zoning Ordinance Chapter 37 relative to

Electric Vehicles, Accessory Dwelling Units, and Dwelling Units, and attached hereto as Exhibit A:

- Add to the Permitted and Conditional Use sections to allow for electric vehicle charging stations in all nonresidential zoning districts.
- Add new residential use requirements and bulk regulations for accessory dwelling units (i.e.: number of occupants in the accessory dwelling units, number of kitchens, setback requirements of accessory dwelling units and parking requirements).

BE IT FURTHER ORDAINED by the County Board of DuPage County, Illinois that should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid; and

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; and DuPage County Division of Transportation.

Enacted and approved this 27th day of August, 2024 at Wheaton, Illinois.

DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest: _____

JEAN KACZMAREK, COUNTY CLERK

EXHIBIT A:

Add to and Amend ARTICLE III. RULES AND DEFINITIONS Section 37-302: DEFINITIONS:

Add Definitions Relative Electric Vehicles Accessory Dwelling Units and Dwelling units:

ACCESSORY UNIT: A group of rooms which has complete, permanently installed kitchen and bath facilities and which constitutes a dwelling within a converted dwelling that is separate from the primary unit.

CONVERTED DWELLING: A ~~single-family~~ dwelling **unit** which has been converted into one primary unit and one accessory unit.

DWELLING UNIT, ACCESSORY: A self-contained room or group of rooms which has complete, permanently installed kitchen and bath facilities and which constitutes a dwelling within a converted dwelling that is separate from the primary unit.

DWELLING, MULTIPLE-FAMILY: A building, or portion thereof, consisting of three (3) or more dwelling units of any type.

DWELLING, SINGLE-FAMILY: A building containing a single dwelling unit only, which is separated from all other dwellings by open space.

DWELLING, TWO-FAMILY: A building consisting of two (2) dwelling units either attached, side by side, or one above the other, with each dwelling unit having a separate entrance.

DWELLING UNIT: One or more rooms designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a ~~single family~~ maintaining a household.

AC: Alternating current (electricity).

BATTERY, BATTERIES: A cell or cells onboard an electric vehicle which is used for storing and furnishing electrical energy for the purpose of propelling the vehicle.

BATTERY ELECTRIC VEHICLE (BEV): An electric vehicle with an onboard battery that operates exclusively on electrical energy from the battery which battery is charged from an electrical power source (charging station) not onboard the vehicle.

CHARGING LEVEL: The standardized indicators of electrical force, or voltage at which an electric vehicle's battery is recharged. Typical electric vehicle charging levels and specifications are:

- **Level 1: AC slow battery charging. Voltage is one hundred twenty (120) volts.**
- **Level 2: AC medium battery charging. Voltage is between one hundred twenty (120) volts and two hundred forty (240) volts.**

- Level 3: DC fast or quick battery charging. Voltage is greater than two hundred forty (240) volts. Sometimes referred to as "DC fast".

CHARGING STATION: Equipment that has as its primary purpose the transfer of electric energy by conductive or inductive means to a battery or other energy storage device located onboard an electric vehicle. Various types of charging stations include:

- Accessible Charging Station: A charging station incorporated into or immediately adjacent to a handicapped parking space as "handicapped parking space" is defined by the Illinois vehicle code.
- Level 3 Charging Station (Sometimes: DC Fast Charging Station): A charging station that provides any single-phase voltage or current rating higher than that of level 2, or any 3-phase supply voltage configuration.
- Private Charging Station: A charging station that is: 1) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking, etc.), or 2) publicly owned and restricted (e.g., fleet parking with no access to the public).
- Public Charging Station: A charging station that is: 1) publicly owned and publicly available (e.g., park and ride, public parking lots, on street parking, etc.) or 2) privately owned and publicly available (e.g., shopping center parking, non-reserved parking in multi-family parking lots, etc.).

CHARGING STATION EQUIPMENT: The conductors, including ungrounded and grounded, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, charging stations or apparatus installed specifically for the purpose of delivering electrical energy from the charging station to the electric vehicle.

CHARGING STATION SPACE: A dedicated, marked space that identifies the use thereof as exclusively for the charging of electric vehicles.

DC: Direct current (electricity).

ELECTRIC SCOOTERS AND/OR MOTORCYCLES: A two-wheel or three-wheel electric vehicle that operates exclusively on electrical energy stored in the vehicle's batteries.

ELECTRIC VEHICLE: A vehicle that operates, either partially or exclusively, on electrical energy from a charging station or other electrical energy source that is stored in the vehicle's battery for propulsion purposes. "Electric vehicle" includes a) a battery electric vehicle; b) a plug-in hybrid electric vehicle; c) a neighborhood electric vehicle; and d) electric scooters or motorcycles.

NEIGHBORHOOD ELECTRIC VEHICLE: An electric vehicle with four (4) wheels that conforms to federal regulations under title 49 CFR part 571.500 which can from a standstill attain a speed of twenty (20) miles per hour within one mile but cannot exceed a speed of more than twenty-five (25) miles per hour.

NONELECTRIC VEHICLE: A vehicle that does not meet the definition of "electric vehicle" as provided herein.

PLUG-IN HYBRID ELECTRIC VEHICLE (PHEV): An electric vehicle that: a) contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; and b) charges its battery primarily by connecting to a charging station or other electrical source not onboard the vehicle; c) may additionally be able to sustain a battery charge using an onboard internal combustion driven generator; and d) has the ability to be propelled through the use of electricity.

CHARGING STATION EQUIPMENT: The conductors, including ungrounded and grounded, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, charging stations or apparatus installed specifically for the purpose of delivering electrical energy from the charging station to the electric vehicle.

CHARGING STATION SPACE: A dedicated, marked space that identifies the use thereof as exclusively for the charging of electric vehicles.

Add to and Amend Section 37-417: ACCESSORY HOUSING:

37-417.1: DECLARATION OF POLICY:

The County Board of DuPage County, Illinois recognizes the need to create not only more housing that is affordable to a variety of income levels but also create more housing types in a variety of neighborhoods for residents of all income levels. Accessory Dwelling Units (ADU's) can serve as a source of financial stability or relief, encouraging revenue generation and wealth building for homeowners, especially for those who experience high housing costs.

The county board of DuPage County, Illinois, recognizes that the number of persons living in the county who are sixty two (62) years old or older is increasing and that many of these persons who would otherwise desire to maintain separate households are unable to do so because of insufficient incomes or need for services. The intent of section 37-417 of this chapter providing for accessory housing is to alleviate this problem. By permitting an accessory unit to be maintained in single-family dwellings in the single-family residential districts of the county, persons over sixty two (62) years old or older will be afforded a means of obtaining the additional income and security which will enable them to remain in homes owned and occupied by them. Also other persons owning and occupying single-family dwellings in these districts will be provided with a means of caring and providing companionship for relatives who are sixty two (62) years or older. (2005 Code)

37-417.2: REQUIREMENTS FOR ACCESSORY DWELLING UNIT HOUSING CONDITIONAL USE:

An accessory dwelling unit may be maintained **as part of the principal** in a single-family dwelling as a conditional use in the districts hereinafter indicated. Conversion of the dwelling **unit** and maintenance of the accessory unit and primary unit must conform to the following requirements:

- A. Only one accessory **dwelling** unit may be maintained in a converted dwelling **or on a property where there is an existing dwelling unit.**
- B. The total floor area of an accessory **dwelling** unit shall not exceed seven hundred (700) **one thousand (1,000)** square

feet.

- ~~C. The accessory unit shall be structurally part of the converted dwelling; no accessory unit or portion thereof shall be maintained in an accessory building.~~
- C. The converted **accessory dwelling unit** must conform to all applicable yard and bulk requirements of the district **for either the principal building or for the accessory building.**
- D. **The owner of the property must obtain a building permit for the converted accessory dwelling unit. The application for permit to include at least the following:**
 - a. **Floor plans for the construction of the accessory dwelling unit; and**
 - b. **A reconversion plan showing both the principal dwelling unit and the accessory dwelling unit to a single-family dwelling after the accessory dwelling unit is no longer in operation.**
 - (1) **Reconversion of the property to a single dwelling shall be completed within ninety (90) days after the discontinuance of the accessory dwelling unit.**
 - (2) **The property shall be reconverted according to the plans submitted at the time the accessory dwelling unit was issued a permit.**
- E. The exterior of the converted dwelling must retain the appearance of a single-family dwelling **or an existing accessory building containing the accessory dwelling unit.** The number of exterior entries on the front of the converted dwelling shall be the same number as prior to its conversion.
- F. **The total number of occupants in the combined principal and accessory dwelling units shall not exceed five (5) people, including one or more persons related by blood, marriage, adoption, or guardianship, or a group of not more than five (5) persons not so related, including their domestic servants or resident staff, maintaining a common household in both the principal and accessory dwelling unit.**
- G. **The total number of passenger vehicles permitted on the property shall not exceed six (6) passenger vehicles combined for the principal dwelling unit and the accessory dwelling unit.**
- ~~G. No roomers or boarders allowed by the definition of dwelling unit in section 37-302 of this chapter shall be permitted in either the primary unit or the accessory unit.~~
- H. At least one of the occupants **of either the principal dwelling unit or the converted accessory dwelling unit** must be the legal or beneficial owner of the property. ~~If none of the owners who occupy the converted dwelling are sixty two (62) years old or older, then the accessory unit must be occupied by a person who is sixty two (62) years old or older and who is related to one of the owners by blood, marriage, adoption or guardianship.~~
- I. **The accessory dwelling unit shall not be rented/leased for less than a six (6) month period.**
- I. By January 31 of each year after the occupancy permit for the accessory unit is issued, all owners of the property shall file an affidavit, along with the annual renewal fee, with the director of the department of economic development and planning certifying that the property complies with the preceding subsection A through I of this section on the date of the filing. ~~(2005 Code)~~

37-417.3: EXPIRATION OF CONDITIONAL USE:

Every conditional use for accessory housing shall expire by its own terms without action by the **C**ounty **B**oard if the property fails to conform with any of the requirements of subsection 37-417.2A through I of this chapter. ~~or if an affidavit~~

~~is not filed in accordance with subsection 37-417.2I of this chapter. The expiration date shall be thirty (30) days after the date on which the property first fails to conform with these requirements. or thirty (30) days after the date on which the affidavit was to have been filed. The conditional use shall not expire, however, if the property is brought into conformity with the requirements of subsection 37-417.2A through I of this chapter. or if the affidavit is filed as required prior to the expiration date.~~ Every conditional use for accessory housing shall also expire when any owner of the converted dwelling conveys any portion of his or her interest in the property unless the conveyance is to a trust of which that owner is a beneficiary. (2005 Code)

37-417.4: RECONVERSION TO SINGLE-FAMILY DWELLING:

Reconversion of the property to a single-family dwelling shall be completed within ninety (90) days after the expiration of the conditional use. The County Development Committee may extend the period of conversion for cause shown. The property shall be reconverted according to the plans submitted at the time the conditional use was applied for. (2005 Code)

Add to all zoning districts as a permitted use:

Level 1 and Level 2 charging stations are permitted in every zoning district, when accessory to the primary permitted use of said district.

Charging stations located at single-family and multiple-family uses shall be designated as private use only. Installation of Level 2 charging stations shall be subject to building permit approval.

Add to and Amend 37-801: B-1 LOCAL BUSINESS DISTRICT:

37-801.1: PERMITTED USES:

Level 3 (DC fast) charging stations when accessory to the primary permitted use.

37-801.2: CONDITIONAL USES:

Automobile service stations, including minor services customarily incidental thereto, and facilities for chassis and gear lubrication, **and Level 3 (DC fast) charging stations** but not including the sale, storage, or rental of vehicles, new or used.

Add to and Amend 37-802: B-2 GENERAL BUSINESS DISTRICT:

37-802.1: PERMITTED USES:

Automobile service stations, including **Level 3 (DC fast) charging stations** shall not be eligible for yard reductions by conditional use.

Add to and Amend 37-1001: I-1 LIGHT INDUSTRIAL DISTRICT:

37-1001.1: PERMITTED USES:

Automobile service stations, including Level 3 (DC fast) charging stations shall not be eligible for yard reductions by conditional use.

37-1001.2: CONDITIONAL USES:

~~Automobile service stations.~~

Add to and Amend 37-1002: I-2 GENERAL INDUSTRIAL DISTRICT:

37-1002.1: PERMITTED USES:

Automobile service stations, including Level 3 (DC fast) charging stations shall not be eligible for yard reductions by conditional use.

Truck stop: Large

37-1002.2: CONDITIONAL USES:

~~Automobile service stations, need not be enclosed.~~

37-1205: OFF STREET LOADING REQUIREMENTS:

37-1205.1: GENERAL REQUIREMENTS:

M. Electric Vehicle charging station/parking space requirements for multi-family residential, nonresidential development:

1. **Charging stations spaces are reserved for use by electric vehicles only.**
2. **Electric vehicles may park in any parking space otherwise designated for parking, subject to the restrictions that would apply to any other vehicle generally.**
3. **Charging Station Space Requirements:**
 - a. **Minimum Requirements: A charging station space may be included in the calculation for minimum parking spaces that are required pursuant to other county and state regulations.**
 - b. **Number: No minimum number of charging station spaces is required.**
4. **Charging Station Space Location and Design Criteria:**
 - a. **Where provided, spaces for charging station purposes are required to include the following:**
 - (1) **Signage: Each charging station space shall be posted with signage indicating the charging station space is only for use by electric vehicles for charging purposes. Days and hours of operations shall**

be included if time limits or tow away provisions are to be enforced.

- (2) Maintenance: Charging station equipment shall be always maintained with a phone number or other contact information provided on the charging station equipment for reporting purposes when the equipment is not functioning, or other equipment problems are encountered.
- (3) Accessibility: Where charging station equipment is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the charging station equipment shall be located so as not to interfere with accessibility requirements of the Illinois accessibility code or other applicable accessibility standards.
- (4) Lighting: Where charging station equipment is installed, adequate site lighting shall be provided in accordance with county of DuPage lighting and glare performance standards and ordinances.
- (5) Charging Station Equipment: Charging station outlets and connector devices shall be no less than thirty-six inches (36") and no higher than forty-eight inches (48") from the ground or pavement surface where mounted and shall contain a retraction device and/or a place to hang permanent cords and connectors a sufficient and safe distance above the ground or pavement surface.
 - (a) Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel or create trip hazards on sidewalks.
 - (b) Charging Station Equipment Protection: Adequate charging station equipment protection, such as concrete filled steel bollards, shall be used.
- (6) Non-mountable curbing may be used in lieu of bollards if the charging station is set back a minimum of twenty-four inches (24") from the face of the curb.
- (7) Usage Fees: An owner of a charging station is not prohibited from collecting a fee for the use of a charging station, in accordance with applicable state and federal regulations.
 - (a) Fees shall be prominently displayed on the charging station.

Add to and Amend 37-1203: SCHEDULE OF OFF STREET PARKING REQUIREMENTS:

37-1203: SCHEDULE OF OFF STREET PARKING REQUIREMENTS

1-1 Dwelling, Single Family Detached Separate living quarters, domestic Servants and Accessory Dwelling Unit Two (2) parking space per each dwelling unit.

*****END*****



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: August 20, 2024

RE: **T-2-24 Proposed Text Amendments
(Waive First Reading)**

DuPage County Board: August 27, 2024:

DuPage County Development Committee: August 20, 2024: The DuPage County Development Committee recommended to approve the following zoning relief:

Zoning Petition T-2-24 proposed Text Amendments to the DuPage County Zoning Ordinance Chapter 37 relative to Electric Vehicles, Accessory Dwelling Units, and Dwelling Units:

- Add to the Permitted and Conditional Use sections to allow for electric vehicle charging stations in all nonresidential zoning districts.
- Add new residential use requirements and bulk regulations for accessory dwelling units (i.e.: number of occupants in the accessory dwelling units, number of kitchens, setback requirements of accessory dwelling units and parking requirements), relative to the following:

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

Zoning Board of Appeals Meeting: August 1, 2024: The Zoning Board of Appeals recommended to approve the following text amendments:

Zoning Petition T-2-24 proposed Text Amendments to the DuPage County Zoning Ordinance Chapter 37 relative to Electric Vehicles, Accessory Dwelling Units, and Dwelling Units:

- Add to the Permitted and Conditional Use sections to allow for electric vehicle charging stations in all nonresidential zoning districts.
- Add new residential use requirements and bulk regulations for accessory dwelling units (i.e.: number of occupants in the accessory dwelling units, number of kitchens, setback requirements of accessory dwelling units and parking requirements), relative to the following:

ZBA VOTE (to Approve): 5 Ayes, 0 Nays, 2 Absent

FINDINGS OF FACT:

1. That the Zoning Board of Appeals finds that over the last several months, County Board members have requested staff to research various land use topics that are of importance to their constituents. Staff has completed its research and developed several proposed amendments to the County Zoning Ordinance that would address the concerns of the County Board members relative to the following:
 - Electric Vehicles
 - Accessory Dwelling Units
 - Dwelling Units
2. That the Zoning Board of Appeals finds that on Tuesday April 16, 2024, the Development Committee voted to request staff to have the proposed text amendment considered at public hearing before the Zoning Board of Appeals
3. That the Zoning Board of Appeals finds that the proposed text amendments to the DuPage County Zoning Ordinance are important to the County in the furtherance of its goals to protect and enhance the health, welfare, and safety of its residents.

EXHIBIT A:

Add to and Amend ARTICLE III. RULES AND DEFINITIONS Section 37-302: DEFINITIONS:

Add Definitions Relative Electric Vehicles Accessory Dwelling Units and Dwelling units:

ACCESSORY UNIT: A group of rooms which has complete, permanently installed kitchen and bath facilities and which constitutes a dwelling within a converted dwelling that is separate from the primary unit.

CONVERTED DWELLING: A ~~single family~~ dwelling unit which has been converted into one primary unit and one accessory unit.

DWELLING UNIT, ACCESSORY: A self-contained room or group of rooms which has complete, permanently installed kitchen and bath facilities and which constitutes a dwelling within a converted dwelling that is separate from the primary unit.

DWELLING, MULTIPLE-FAMILY: A building, or portion thereof, consisting of three (3) or more dwelling units of any type.

DWELLING, SINGLE-FAMILY: A building containing a single dwelling unit only, which is separated from all other dwellings by open space.

DWELLING, TWO-FAMILY: A building consisting of two (2) dwelling units either attached, side by side, or one above the other, with each dwelling unit having a separate entrance.

DWELLING UNIT: One or more rooms designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a ~~single family~~ maintaining a household.

AC: Alternating current (electricity).

BATTERY, BATTERIES: A cell or cells onboard an electric vehicle which is used for storing and furnishing electrical energy for the purpose of propelling the vehicle.

BATTERY ELECTRIC VEHICLE (BEV): An electric vehicle with an onboard battery that operates exclusively on electrical energy from the battery which battery is charged from an electrical power source (charging station) not onboard the vehicle.

CHARGING LEVEL: The standardized indicators of electrical force, or voltage at which an electric vehicle's battery is recharged. Typical electric vehicle charging levels and specifications are:

- **Level 1: AC slow battery charging. Voltage is one hundred twenty (120) volts.**
- **Level 2: AC medium battery charging. Voltage is between one hundred twenty (120) volts and two hundred forty (240) volts.**
- **Level 3: DC fast or quick battery charging. Voltage is greater than two hundred forty (240) volts. Sometimes referred to as "DC fast".**

CHARGING STATION: Equipment that has as its primary purpose the transfer of electric energy by conductive or inductive means to a battery or other energy storage device located onboard an electric vehicle. Various types of charging stations include:

- **Accessible Charging Station: A charging station incorporated into or immediately adjacent to a handicapped parking space as "handicapped parking space" is defined by the Illinois vehicle code.**

- Level 3 Charging Station (Sometimes: DC Fast Charging Station): A charging station that provides any single-phase voltage or current rating higher than that of level 2, or any 3-phase supply voltage configuration.
- Private Charging Station: A charging station that is: 1) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking, etc.), or 2) publicly owned and restricted (e.g., fleet parking with no access to the public).
- Public Charging Station: A charging station that is: 1) publicly owned and publicly available (e.g., park and ride, public parking lots, on street parking, etc.) or 2) privately owned and publicly available (e.g., shopping center parking, non-reserved parking in multi-family parking lots, etc.).

CHARGING STATION EQUIPMENT: The conductors, including ungrounded and grounded, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, charging stations or apparatus installed specifically for the purpose of delivering electrical energy from the charging station to the electric vehicle.

CHARGING STATION SPACE: A dedicated, marked space that identifies the use thereof as exclusively for the charging of electric vehicles.

DC: Direct current (electricity).

ELECTRIC SCOOTERS AND/OR MOTORCYCLES: A two-wheel or three-wheel electric vehicle that operates exclusively on electrical energy stored in the vehicle's batteries.

ELECTRIC VEHICLE: A vehicle that operates, either partially or exclusively, on electrical energy from a charging station or other electrical energy source that is stored in the vehicle's battery for propulsion purposes. "Electric vehicle" includes a) a battery electric vehicle; b) a plug-in hybrid electric vehicle; c) a neighborhood electric vehicle; and d) electric scooters or motorcycles.

NEIGHBORHOOD ELECTRIC VEHICLE: An electric vehicle with four (4) wheels that conforms to federal regulations under title 49 CFR part 571.500 which can from a standstill attain a speed of twenty (20) miles per hour within one mile but cannot exceed a speed of more than twenty-five (25) miles per hour.

NONELECTRIC VEHICLE: A vehicle that does not meet the definition of "electric vehicle" as provided herein.

PLUG-IN HYBRID ELECTRIC VEHICLE (PHEV): An electric vehicle that: a) contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; and b) charges its battery primarily by connecting to a charging station or other electrical source not onboard the vehicle; c) may additionally be able to sustain a battery charge using an onboard internal combustion driven generator; and d) has the ability to be propelled through the use of electricity.

CHARGING STATION EQUIPMENT: The conductors, including ungrounded and grounded, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, charging stations or apparatus installed specifically for the purpose of delivering electrical energy from the charging station to the electric vehicle.

CHARGING STATION SPACE: A dedicated, marked space that identifies the use thereof as exclusively for the charging of electric vehicles.

Add to and Amend Section 37-417: ACCESSORY HOUSING:

37-417.1: DECLARATION OF POLICY:

The County Board of DuPage County, Illinois recognizes the need to create not only more housing that is affordable to a variety of income levels but also create more housing types in a variety of neighborhoods for residents of all income levels. Accessory Dwelling Units (ADU's) can serve as a source of financial stability or relief, encouraging revenue generation and wealth building for homeowners, especially for those who experience high housing costs.

~~The county board of DuPage County, Illinois, recognizes that the number of persons living in the county who are sixty two (62) years old or older is increasing and that many of these persons who would otherwise desire to maintain separate households are unable to do so because of insufficient incomes or need for services. The intent of section 37-417 of this chapter providing for accessory housing is to alleviate this problem. By permitting an accessory unit to be maintained in single family dwellings in the single family residential districts of the county, persons over sixty two (62) years old or older will be afforded a means of obtaining the additional income and security which will enable them to remain in homes owned and occupied by them. Also other persons owning and occupying single family dwellings in these districts will be provided with a means of caring and providing companionship for relatives who are sixty two (62) years or older. (2005 Code)~~

37-417.2: REQUIREMENTS FOR ACCESSORY DWELLING UNIT HOUSING CONDITIONAL USE:

An accessory ~~dwelling~~ unit may be maintained **as part of the principal** in a single-family dwelling as a conditional use in the districts hereinafter indicated. Conversion of the dwelling **unit** and maintenance of the accessory unit and primary unit must conform to the following requirements:

- A. Only one accessory **dwelling** unit may be maintained in a converted dwelling **or on a property where there is an existing dwelling unit.**
- B. The total floor area of an accessory **dwelling** unit shall not exceed ~~seven hundred (700)~~ **one thousand (1,000)** square feet.
- ~~C. The accessory unit shall be structurally part of the converted dwelling; no accessory unit or portion thereof shall be maintained in an accessory building.~~
- C. The converted **accessory dwelling unit** must conform to all applicable yard and bulk requirements of the district **for either the principal building or for the accessory building.**
- D. **The owner of the property must obtain a building permit for the converted accessory dwelling unit. The application for permit to include at least the following:**
 - a. **Floor plans for the construction of the accessory dwelling unit; and**
 - b. **A reconversion plan showing both the principal dwelling unit and the accessory dwelling unit to a single-family dwelling after the accessory dwelling unit is no longer in operation.**

(1) Reconversion of the property to a single dwelling shall be completed within ninety (90) days after the discontinuance of the accessory dwelling unit.

(2) The property shall be reconverted according to the plans submitted at the time the accessory dwelling unit was issued a permit.

E. The exterior of the converted dwelling must retain the appearance of a single-family dwelling **or an existing accessory building containing the accessory dwelling unit.** The number of exterior entries on the front of the converted dwelling shall be the same number as prior to its conversion.

F. The total number of occupants in the combined principal and accessory dwelling units shall not exceed five (5) people, including one or more persons related by blood, marriage, adoption, or guardianship, or a group of not more than five (5) persons not so related, including their domestic servants or resident staff, maintaining a common household in both the principal and accessory dwelling unit.

G. The total number of passenger vehicles permitted on the property shall not exceed six (6) passenger vehicles combined for the principal dwelling unit and the accessory dwelling unit.

~~G. No roomers or boarders allowed by the definition of dwelling unit in section 37-302 of this chapter shall be permitted in either the primary unit or the accessory unit.~~

H. At least one of the occupants **of either the principal dwelling unit or the converted accessory dwelling unit** must be the legal or beneficial owner of the property. ~~If none of the owners who occupy the converted dwelling are sixty two (62) years old or older, then the accessory unit must be occupied by a person who is sixty two (62) years old or older and who is related to one of the owners by blood, marriage, adoption or guardianship.~~

I. The accessory dwelling unit shall not be rented/leased for less than a six (6) month period.

~~I. By January 31 of each year after the occupancy permit for the accessory unit is issued, all owners of the property shall file an affidavit, along with the annual renewal fee, with the director of the department of economic development and planning certifying that the property complies with the preceding subsection A through I of this section on the date of the filing. (2005 Code)~~

37-417.3: EXPIRATION OF CONDITIONAL USE:

Every conditional use for accessory housing shall expire by its own terms without action by the **C**ounty **B**oard if the property fails to conform with any of the requirements of subsection 37-417.2A through I of this chapter. ~~or if an affidavit is not filed in accordance with subsection 37-417.2I of this chapter.~~ The expiration date shall be thirty (30) days after the date on which the property first fails to conform with these requirements. ~~or thirty (30) days after the date on which the affidavit was to have been filed.~~ The conditional use shall not expire, however, if the property is brought into conformity with the requirements of subsection 37-417.2A through I of this chapter. ~~or if the affidavit is filed as required prior to the expiration date.~~ Every conditional use for accessory housing shall also expire when any owner of the converted dwelling conveys any portion of his or her interest in the property unless the conveyance is to a trust of which that owner is a beneficiary. (2005 Code)

37-417.4: RECONVERSION TO SINGLE-FAMILY DWELLING:

Reconversion of the property to a single-family dwelling shall be completed within ninety (90) days after the expiration of the conditional use. The County Development Committee may extend the period of conversion for cause shown. The property shall be reconverted according to the plans submitted at the time the conditional use was applied for. (2005 Code)

Add to all zoning districts as a permitted use:

Level 1 and Level 2 charging stations are permitted in every zoning district, when accessory to the primary permitted use of said district.

Charging stations located at single-family and multiple-family uses shall be designated as private use only. Installation of Level 2 charging stations shall be subject to building permit approval.

Add to and Amend 37-801: B-1 LOCAL BUSINESS DISTRICT:

37-801.1: PERMITTED USES:

Level 3 (DC fast) charging stations when accessory to the primary permitted use.

37-801.2: CONDITIONAL USES:

Automobile service stations, including minor services customarily incidental thereto, and facilities for chassis and gear lubrication, and Level 3 (DC fast) charging stations but not including the sale, storage, or rental of vehicles, new or used.

Add to and Amend 37-802: B-2 GENERAL BUSINESS DISTRICT:

37-802.1: PERMITTED USES:

Automobile service stations, including Level 3 (DC fast) charging stations shall not be eligible for yard reductions by conditional use.

Add to and Amend 37-1001: I-1 LIGHT INDUSTRIAL DISTRICT:

37-1001.1: PERMITTED USES:

Automobile service stations, including Level 3 (DC fast) charging stations shall not be eligible for yard reductions by conditional use.

37-1001.2: CONDITIONAL USES:

~~Automobile service stations.~~

Add to and Amend 37-1002: I-2 GENERAL INDUSTRIAL DISTRICT:

37-1002.1: PERMITTED USES:

Automobile service stations, including Level 3 (DC fast) charging stations shall not be eligible for yard reductions by conditional use.

Truck stop: Large

37-1002.2: CONDITIONAL USES:

~~Automobile service stations, need not be enclosed.~~

37-1205: OFF STREET LOADING REQUIREMENTS:

37-1205.1: GENERAL REQUIREMENTS:

M. Electric Vehicle charging station/parking space requirements for multi-family residential, nonresidential development:

1. **Charging stations spaces are reserved for use by electric vehicles only.**
2. **Electric vehicles may park in any parking space otherwise designated for parking, subject to the restrictions that would apply to any other vehicle generally.**
3. **Charging Station Space Requirements:**
 - a. **Minimum Requirements: A charging station space may be included in the calculation for minimum parking spaces that are required pursuant to other county and state regulations.**
 - b. **Number: No minimum number of charging station spaces is required.**
4. **Charging Station Space Location and Design Criteria:**

- a. Where provided, spaces for charging station purposes are required to include the following:
- (1) Signage: Each charging station space shall be posted with signage indicating the charging station space is only for use by electric vehicles for charging purposes. Days and hours of operations shall be included if time limits or tow away provisions are to be enforced.
 - (2) Maintenance: Charging station equipment shall be always maintained with a phone number or other contact information provided on the charging station equipment for reporting purposes when the equipment is not functioning, or other equipment problems are encountered.
 - (3) Accessibility: Where charging station equipment is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the charging station equipment shall be located so as not to interfere with accessibility requirements of the Illinois accessibility code or other applicable accessibility standards.
 - (4) Lighting: Where charging station equipment is installed, adequate site lighting shall be provided in accordance with county of DuPage lighting and glare performance standards and ordinances.
 - (5) Charging Station Equipment: Charging station outlets and connector devices shall be no less than thirty-six inches (36") and no higher than forty-eight inches (48") from the ground or pavement surface where mounted and shall contain a retraction device and/or a place to hang permanent cords and connectors a sufficient and safe distance above the ground or pavement surface.
 - (a) Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel or create trip hazards on sidewalks.
 - (b) Charging Station Equipment Protection: Adequate charging station equipment protection, such as concrete filled steel bollards, shall be used.
 - (6) Non-mountable curbing may be used in lieu of bollards if the charging station is set back a minimum of twenty-four inches (24") from the face of the curb.
 - (7) Usage Fees: An owner of a charging station is not prohibited from collecting a fee for the use of a charging station, in accordance with applicable state and federal regulations.
 - (a) Fees shall be prominently displayed on the charging station.

Add to and Amend 37-1203: SCHEDULE OF OFF STREET PARKING REQUIREMENTS:

37-1203: SCHEDULE OF OFF STREET PARKING REQUIREMENTS

1-1 Dwelling, Single Family Detached Separate living quarters, domestic Servants and Accessory Dwelling Unit Two (2) parking space per each dwelling unit

*****END*****

**DUPAGE COUNTY ZONING BOARD OF APPEALS
T-2-24 TEXT AMENDMENTS (COMMENTS)**

GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	To consider Zoning Petition T-2-24 proposed Text Amendments to the DuPage County Zoning Ordinance Chapter 37 relative to Electric Vehicles, Accessory Dwelling Units, and Dwelling Units: <ul style="list-style-type: none"> • Add to the Permitted and Conditional Use sections to allow for electric vehicle charging stations in all nonresidential zoning districts. • Add new residential use requirements and bulk regulations for accessory dwelling units (i.e.: number of occupants in the accessory dwelling units, number of kitchens, setback requirements of accessory dwelling units and parking requirements).
PUBLICATION DATE	MONDAY, JUNE 24, 2024
PUBLIC HEARING	THURSDAY, JULY 11, 2024 at 6:00 PM

EXTERNAL: COMMENTS FROM DUPAGE COUNTY MUNICIPALITIES:	
Addison	<i>No Comments Received.</i>
Aurora	<i>No Comments Received.</i>
Bartlett	<i>No Comments Received.</i>
Batavia	“We appreciate the information and have no objections to the proposed amendments at this time.”
Bensenville	<i>No Comments Received.</i>
Bloomingtondale	<i>No Comments Received.</i>
Bolingbrook	<i>No Comments Received.</i>
Burr Ridge	See attached documentation.
Carol Stream	<i>No Comments Received.</i>
Clarendon Hills	<i>No Comments Received.</i>
Darien	<i>No Comments Received.</i>
Downers Grove	<i>No Comments Received.</i>
Elk Grove Village	<i>No Comments Received.</i>
Elmhurst	<i>No Comments Received.</i>
Glen Ellyn	<i>No Comments Received.</i>
Glendale Heights	<i>No Comments Received.</i>
Hanover Park	<i>No Comments Received.</i>
Hinsdale	<i>No Comments Received.</i>
Itasca	<i>No Comments Received.</i>
Lemont	<i>No Comments Received.</i>
Lisle	<i>No Comments Received.</i>
Lombard	<i>No Comments Received.</i>

Naperville	<i>No Comments Received.</i>
Oak Brook	<i>No Comments Received.</i>
Oakbrook Terrace	<i>No Comments Received.</i>
Roselle	<i>No Comments Received.</i>
Schaumburg	<i>No Comments Received.</i>
St. Charles	<i>No Comments Received.</i>
Villa Park	<i>No Comments Received.</i>
Warrenville	<i>No Comments Received.</i>
Wayne	<i>No Comments Received.</i>
West Chicago	<i>No Comments Received.</i>
Westmont	<i>No Comments Received.</i>
Wheaton	<i>No Comments Received.</i>
Willowbrook	<i>No Comments Received.</i>
Winfield	<i>No Comments Received.</i>
Wood Dale	<i>No Comments Received.</i>
Woodridge	<i>No Comments Received.</i>



July 8, 2024

Jessica Infelise
DuPage County Building and Zoning Department
421 North County Farm Rd.
Wheaton, IL 60187

Via email to Jessica.infelise@dupageco.org

Re: T-2-24 Text Amendments

Dear Ms. Infelise,

On July 1, 2024, the Village of Burr Ridge Plan Commission/Zoning Board of Appeals performed an extraterritorial review of the consideration of Zoning Petition T-2-24, proposed text amendments to the DuPage County Zoning Ordinance Chapter 37 relative to Electric Vehicles, Accessory Dwelling Units, and Dwelling Units.

The Plan Commission discussed various aspects of the proposed amendment, highlighting potential inconsistencies between the proposed DuPage text amendments and the existing regulations in the Village of Burr Ridge. The Village of Burr Ridge passed an Ordinance on September 25 and October 23, 2023, amending the definition and regulations of family and short-term rentals, as noted below;

FAMILY: An owner or a single lessee and persons related thereto by blood, marriage, domestic partnership, or legal adoption living together as a single housekeeping unit within a dwelling unit, including foster children, domestic employees, and non-paying guests. The word "family" shall also include not more than two (2) unrelated persons living together as a single housekeeping unit.

SHORT-TERM RENTAL: A single-family detached dwelling, semi-detached dwelling, attached dwelling, cluster dwelling, multiple-family dwelling, two-family dwelling, accessory dwelling, accessory structure, accessory use and/or any portion thereof rented to transients or temporary guests for a period less than thirty (30) consecutive days and whether or not the permission for such occupancy or use is in exchange for a fee. This definition does not include a hotel or motel establishment duly licensed by the Village, boarding, lodging, or rooming houses, or rental of a dwelling to no more than three separate lessees per year for a 30-day minimum duration.

HOME OCCUPATIONS: In all Residence Districts and for all residential uses in non-residential districts (Amended by Ordinance A-834-13-11), any customary home occupation shall be permitted provided that it meets the regulations as detailed below. *Short-term rentals are expressly prohibited as a home occupation use.*

The Plan Commission expressed concerns regarding occupancy limits, rental regulations, vehicle parking, and safety standards for electric vehicle charging stations. The Plan Commission sought clarification on whether the proposal would permit renting out accessory structures to third parties and questioned the impact of allowing an additional dwelling unit with up to five unrelated individuals. The Plan Commission emphasized the need for regulations to ensure safety and compliance with existing codes regarding electric vehicle charging stations. Additionally, the Plan Commission discussed provisions for vehicle parking, noting the existing challenges with multiple vehicles parked in driveways within the Village of Burr Ridge, and expressed concerns regarding the proposed DuPage text amendment, which would permit up to six vehicles.

www.burr-ridge.gov
630.654.8181

Should you have any questions, please do not hesitate to contact me at estern@burr-ridge.gov or (630) 654-8181 x 6260.

Sincerely,



Ella Stern,
Planner



File #: DC-O-0050-24

Agenda Date: 8/27/2024

Agenda #: 11.A.

ORDINANCE

ZONING PETITION T-1-24 (B) PROPOSED TEXT AMENDMENTS TO THE DUPAGE COUNTY ZONING ORDINANCE
RELATIVE TO BEEKEEPING

WHEREAS, a public hearing was held on May 14, 2024, in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 6:00 P.M. before the DuPage County Zoning Board of Appeals and notice of said hearing was duly given; and

WHEREAS, a petition was presented at this hearing requesting the following text amendment:

Text Amendments to the DuPage County Zoning Ordinance:

Zoning Petition T-1-24 (b) proposed text amendments to the DuPage County Zoning Ordinance relative to beekeeping, presented on May 14, 2024, and attached hereto as Exhibit A, and

WHEREAS, the Zoning Board of Appeals, having considered in relation to the above requested text amendment presented at the above hearing and at the recommendation meeting held on June 6, 2024 does find as follows:

FINDINGS OF FACT:

1. That the Zoning Board of Appeals finds that over the last several months, County Board members have requested staff to research various land use topics that are of importance to their constituents. Staff has completed its research and developed several proposed amendments to the County Zoning Ordinance that would address the concerns of the County Board members relative to the following:
 - Beekeeping as part of a 4-H Project
2. That the Zoning Board of Appeals finds that on Tuesday April 16, 2024, the Development Committee voted to request staff to have the proposed text amendment considered at public hearing before the Zoning Board of Appeals.
3. Furthermore, that the Zoning Board of Appeals finds that they have concerns regarding native bee and non-native honeybee species, and that they do not have sufficient information regarding the impact of non-native honeybee species on native bee species. Therefore, the Zoning Board of Appeals made a motion of “no recommendation” regarding the subject text amendments for beekeeping.

WHEREAS, the Zoning Board of Appeals, having considered in relation to the above and at the recommendation meeting held on June 6, 2024, made a motion of “no recommendation” regarding the following text amendments:

Text Amendments to the DuPage County Zoning Ordinance:

Zoning Petition T-1-24 (b) proposed text amendments to the DuPage County Zoning Ordinance relative to beekeeping, presented on May 14, 2024, and attached hereto as Exhibit A:

ZBA VOTE (No Recommendation): 7 Ayes, 0 Nays, 0 Absent

WHEREAS, the County Board Development Committee on August 6, 2024, considered the above findings and recommendations of the Zoning Board of Appeals and recommends to approve the following text amendment:

Text Amendments to the DuPage County Zoning Ordinance:

Zoning Petition T-1-24 (b) proposed text amendments to the DuPage County Zoning Ordinance relative to beekeeping, presented on May 14, 2024, and attached hereto as Exhibit A:

Development Committee VOTE (to Approve): 4 Ayes, 1 Nays, 1 Absent

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County, Illinois that the following text amendment be granted:

Text Amendments to the DuPage County Zoning Ordinance:

Zoning Petition T-1-24 (b) proposed text amendments to the DuPage County Zoning Ordinance relative to beekeeping, presented on May 14, 2024, and attached hereto as Exhibit A; and

BE IT FURTHER ORDAINED by the County Board of DuPage County, Illinois that should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid; and

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; and DuPage County Division of Transportation.

Enacted and approved this 27th day of August, 2024 at Wheaton, Illinois.

DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest: _____

JEAN KACZMAREK, COUNTY CLERK



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: August 6, 2024

RE: **T-1-24 (b) Proposed Text Amendments
(Waive First Reading)**

DuPage County Board: August 27, 2024:

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

Zoning Petition T-1-24 (b) proposed text amendments to the DuPage County Zoning Ordinance relative to beekeeping, presented on May 14, 2024, and attached hereto as Exhibit A:

Development Committee VOTE (to Approve): 4 Ayes, 1 Nays, 1 Absent

Zoning Board of Appeals Meeting: June 6, 2024: The Zoning Board of Appeals made a motion of “no recommendation” regarding the following text amendments:

Zoning Petition T-1-24 (b) proposed text amendments to the DuPage County Zoning Ordinance relative to beekeeping, presented on May 14, 2024, and attached hereto as Exhibit A:

ZBA VOTE (No Recommendation): 7 Ayes, 0 Nays, 0 Absent

FINDINGS OF FACT:

1. That the Zoning Board of Appeals finds that over the last several months, County Board members have requested staff to research various land use topics that are of importance to their constituents. Staff has completed its research and

developed several proposed amendments to the County Zoning Ordinance that would address the concerns of the County Board members relative to the following:

- Beekeeping as part of a 4-H Project
2. That the Zoning Board of Appeals finds that on Tuesday April 16, 2024, the Development Committee voted to request staff to have the proposed text amendment considered at public hearing before the Zoning Board of Appeals.
 3. Furthermore, that the Zoning Board of Appeals finds that they have concerns regarding native bee and non-native honeybee species, and that they do not have sufficient information regarding the impact of non-native honeybee species on native bee species. Therefore, the Zoning Board of Appeals made a motion of “no recommendation” regarding the subject text amendments for beekeeping.

EXHIBIT A:

Add to ARTICLE III. RULES AND DEFINITIONS, Section 37-302: DEFINITIONS to include the following:

BEE KEEPING:

APIARY: A place where one or more bee colonies are kept.

BEE: Any stage of the common domestic honeybee, Apis mellifera species.

BEEKEEPER: A person who owns or has charge of one or more colonies of bees.

BEEKEEPING EQUIPMENT: Anything used in the operation of an apiary, including, but not limited to, hive bodies, supers, frames, top and bottom boards, and extractors.

COLONY (COLONIES): A hive and its equipment and appurtenance, including bees, comb, honey, pollen, and brood.

HIVE: A structure intended for the housing of a bee colony.

HOBBY BEEKEEPING: The keeping of bees subject to the restrictions set forth in this chapter.

NUCLEUS COLONY: A small quantity of bees with a queen housed in a smaller than usual hive box designed for a particular purpose

Amend Sections: 37-701.1; 37-702.1; 37-703.1; 37-704.1 PERMITTED USES:

4-H projects accessory to the principal use of the property:

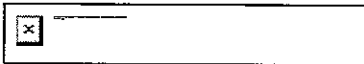
1. May be permitted on a zoning lot containing not less than forty thousand (40,000) square feet of land area **(the 4-H minimum lot area shall not be required for 4-H bee keeping projects)**. All buildings for a 4-H project shall be set back not less than one hundred fifty feet (150') from the front lot line and not less than thirty feet (30') feet from any side or rear lot line.
2. **4-H projects for bee keeping and bee colonies maintained as a hobby by a resident of the same property, and which is not for commercial purposes, are permitted subject to the following terms and conditions:**
 - a. **A permit issued by the County Building and Zoning Department is required to keep bees on a property.**
 - b. **The permit application requirements shall include:**
 - (1) **A site plan showing that all buildings and structures used for bee keeping shall be set back not less than twenty-five feet (25') from all property lines and shall be located behind the front wall of the home.**
 - (2) **Provide a copy the local Illinois Cooperative Extension 4-H program certification for the 4-H project.**
 - (3) **Provide a certified copy of the State of Illinois Department of Agriculture registration form as required by the Illinois Bees and Apiaries Act (510 ILCS 20/I et seq.) as amended from time to time, and comply with all applicable regulations of said Department as may be amended from time to time.**
 - (4) **Provide documentation showing that all bees shall be of the common domestic honeybees of the Apis Mellifera species.**
 - (5) **Provide documentation showing that all colonies will be kept in inspectable-type hives, with removable combs, which shall be kept in sound, usable, and sanitary condition.**
 - (6) **Provide documentation showing that all beehives shall be kept within one or more contiguous beehive structure(s) with a combined area not exceeding 8 square feet and 6 feet in height.**
 - (7) **Lots containing less than 40,000 sq. ft. of land shall not have more than two colonies. Lots exceeding 40,000 square feet of lot area shall have a maximum of four colonies.**
 - (8) **In any instance where a bee colony exhibits unusually aggressive characteristics by stinging or attempting to sting without due provocation or exhibits an unusual disposition towards swarming, it shall be the duty of the beekeeper to re-queen the colony. Queens shall be selected from a stock bred for gentleness and non-swarming characteristics.**

END

Blakely, Heidi

From: noreply@formstack.com
Sent: Saturday, August 17, 2024 10:20 AM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: PublicComment

Submitted at 08/17/24 10:19 AM

Meeting Date: 08/20/24

Meeting: Development Committee

Name: Daniel Edelman

Organization: none

Address: [Redacted]
Winfield, IL 60190

**Daytime
Phone:**

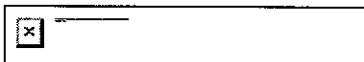
Subject: T-2-24 Proposed Amendments re: Accessory Dwelling Units

Comment: I strongly oppose this proposal. People bought into a neighborhood with single family homes on acre lots. The proposal would increase the number of dwelling units per lot in a manner inconsistent with the character of the neighborhood.

Blakely, Heidi

From: noreply@formstack.com
Sent: Saturday, August 17, 2024 3:49 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: PublicComment

Submitted at 08/17/24 3:48 PM

Meeting Date: 08/20/24

Meeting: Development Committee

Name: Rose Kuntze

Organization:

Address: Winfield, IL 60190

**Daytime
Phone:** () - - - -

Subject: Oppose Petition T-2-24 Amendments re: ADUs

Comment:

Development Committee Members,

I do not want current single-family residential zoning to morph into a hodge-podge of homes and rental units. It is not in the best interest of homeowners to make them landlords who know nothing regarding rental agreements, fair housing practices, and ADA regulations while possibly incurring the costs of additional insurance, liabilities and taxes. The County's inability to monitor or enforce this amendment appears to place primary residential homeowners,

and their renters, in uncharted territory as to how this works.

ADUs will negatively impact police, fire, postal, medical facilities and emergency resources to residents. How would emergency services even locate and access the ADU? Will they be allowed separate addresses and driveways? How will this impact census data? Voting? School districts?

Do not address the affordable housing shortage by imposing this amendment on homeowners in unincorporated areas that are already underserved by resources.

Please consider the above comments and vote to deny the ADU petition.
Thank you.

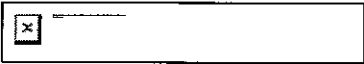
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Blakely, Heidi

From: noreply@formstack.com
Sent: Saturday, August 17, 2024 4:03 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: PublicComment

Submitted at 08/17/24 4:02 PM

Meeting Date: 08/20/24

Meeting: Development Committee

Name: Wayne Kuntze

Organization:

Address: WINFIELD, IL 60190-1726

**Daytime
Phone:**

Subject: Strongly Oppose Petition T-2-24 ADU Amendments

Comment: This ordinance will in no way improve the County nor provide the needed affordable housing that it purports to address. Homeowners in unincorporated areas are already underserved by resources. DO NOT change the codes to address the problem – change your approach.

Blakely, Heidi

From: noreply@formstack.com
Sent: Sunday, August 18, 2024 7:21 AM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: PublicComment

Submitted at 08/18/24 7:20 AM

Meeting Date: 08/20/24

Meeting: Development Committee

Name: Rose Kuntze

Organization: West-Win Homeowners' Association

Address: Winfield, IL 60190

**Daytime
Phone:**

Subject: Oppose Petition T-2-24 ADU Amendments DC-O-0056-24

Comment:

Development Committee Members,

West-Win Homeowners' Association (W-W) encompasses approximately 700 residences in the unincorporated areas of DuPage County bounded by Warrenville, West Chicago, Winfield, and Wheaton.

W-W became aware of Petition T-2-24 recently. As part of our mission to keep membership aware of issues that may be of concern to our homeowners, we

distributed copies of the proposed petition and solicited comments. Our membership has responded, are strongly opposed to the changes, and they have provided the comments compiled below which are unedited.

- This ordinance will in no way improve the County nor provide the needed affordable housing that it purports to address. In the same breath that the County is requesting that unincorporated citizens provide a personal means in which to address the affordable housing shortage, developers are seeking County approval for TIF monies to build LUXURY apartments. This dichotomy strains the bounds of common sense. Address the affordable housing shortage with professionals, not with homeowners in unincorporated areas that are already underserved by resources. DO NOT change the codes to address the problem – change your approach!

- Comments:

1. I Think we should see what the current law/regs are before we decide on changes.

2. I was surprised at the things that were crossed out on the proposed amendment – I thought those were important considerations, such as annual reporting.

3. Several people at the meeting were surprised that there would not be increased property tax on the ADUs. There were will additional people using additional county resources – it isn't fair that other tax payers should pay for that usage, especially when this is presented as an additional income source for the homeowner.

4. I assume the size of the ADU will be determined by the size of the homeowner's lot. The materials we received just talked about 1000 sq ft except one instance that referred to a limit of 650 sq ft. Those limits need to be clearly stated. Also, is there a limit on how many people (including children) can live in any amount of sq ft? In the meeting, Haas said that 6 people could live on a lot, but that does not address how many live in a limited sq foot dwelling.

5. There should be reference to the laws and regs (local, state, and federal) that control the landlord/tenant relationship. There is no indication that Fair Housing Laws apply to ADU, but I am pretty sure that they do. There are also laws about supplying heat and many other things that failure to do so could result in fines and law suits. People need to know that the dwellings that they create on their property do not exist at their whim.

- Property taxes are already horrendous.

- I would also think that well and septic systems would have to be separate and require larger parcels and separate maintenance. Increased traffic and decreased home values as a result of adding more people and cars.

- Any member or official of the county board or zoning board that currently has

an ADU should recuse themselves from voting on the matter.

- We strongly oppose this ADU proposal. We do not see how this can be enforced or monitored.

- No incorporated city is going to approve or endorse such an approach or policy for adding affordable housing. The county has presented this as an attempt to address a need for affordable housing; yet they only have jurisdiction to regulate and implement such an approach on the unincorporated areas of the county, which is a small portion of the metropolitan area. This motion and premise falls short on two accounts. The unincorporated areas cannot have an effective impact on this issue based on the size of this community and the restrictions that are part of the proposed solution. Not to mention, this is an unfair approach to a community that already pays taxes that are on par with incorporated communities; yet we do not receive the benefits of local library use, local police representation, etc.

DuPage County has continually demonstrated an inability to enforce laws we have, such as speed limits, construction permits, etc. It is often explained or reasoned that these shortcomings are inherent because of limited resources or because of the County government's organizational structure that divides responsibilities. Regardless, if these laws are unenforceable, how would the detailed requirements, which are proposed in the zoning change, such as a limit on the number of residents occupying a dwelling or whether or not a property owner actually lives on the property be enforced? (This zoning change creates a huge potential for owners to become landlords, who rent the property under this proposed zoning change.)

Secondly, to suggest this effort is an attempt to provide affordable housing is a farse, considering the amount of taxes and continuous hikes we are subjected to annually. The tax dollars we pay each year are mismanaged, which is the primary reason they need to be raised continually. Taxes are a percentage and thus inflation is built into any tax rate. Over-spending creates a need for additional revenue. Effectively, we lack representation for the high amount of taxes we pay. This zoning change would add additional cost to local services without additional revenue. e.g. crime enforcement (police), fire, emergency services, road access, school busing, road wear, traffic congestion, the potential for new access to ADU's etc.

Finally, it seems very suspicious and unfair to place this burden on the unincorporated areas, when for example, such departments as the Forest Preserve have an abundance of funds and property. (I even understand every Forest Service employee has a company vehicle as well. Regardless, their fleet is large. Their budget is large and they have a reserve of funds). Consider the recent expansion at the Forest Preserve's new Mack Road location. Why can't this area serve as a potential solution for affordable housing? When this

question is answered by opponents to this question, consider their answer as the same reason unincorporated tax paying residents don't want to be the solution either. This proposal is an unfair burden to unincorporated residents.

- More cons: The potential for squatters, the potential for human trafficking, probable decrease in our home value. The enforceability of any rules with the new codes will be difficult to stay on top of with limited resources we have already.

Why is this even being proposed?? What happened to the nice six flat a citizen could buy and invest in that would allow people to rent with reasonable monthly payment so they could live safely and in a nice apartment? Why not give residents of DuPage grants to build apartment complexes on empty lots or buy older apartment complexes and renovate them and those properties can be rented out at reasonable monthly rates to people who deserve a safe place to live?

- TAXES ARE TOO HIGH – EVERY DWELLING SHOULD BE ASSESSED EQUALLY. EVERYONE SHOULD PAY THEIR FAIR SHARE – AND THE TOTAL SHOULD BE REDUCED. IT'S A GOOD REASON WHY I WILL BE MOVING AWAY IN THE COMING YEARS.

Approximately 20 residents attended the 7/11/24 Zoning Board of Appeals meeting where Paul Hoss explained the proposed amendments. As noted in the meeting's published minutes, 11 residents spoke, all strongly opposed. Additionally, we believe approximately 16 public comments were submitted prior to the meeting, again all opposed.

Please consider the above comments of the residents and Homeowners' Association in making your decision and recommendations. Thank you.

West-Win Homeowners' Association
PO Box 367
Winfield, IL 60190-0367
info@west-win.org

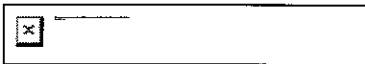
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Blakely, Heidi

From: noreply@formstack.com
Sent: Sunday, August 18, 2024 2:53 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: PublicComment

Submitted at 08/18/24 2:53 PM

Meeting Date: 08/20/24

Meeting: Development Committee

Name: Collette Klouda

Organization:

Address: Winfield, IL 60190

**Daytime
Phone:**

Subject: T-2-24 Proposed Amendments re: ADU's

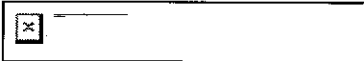
Comment:

I am opposed to passing these amendments. I don't feel that this would enhance anyone's property and it could also lead to bringing in a lot of undesirable people, which could increase crime. It would also increase the tax burden on the current residents with respect to the schools, police & fire department services. The roads would also be affected with increased traffic which in turn will require increased maintenance and higher taxes. I believe that the character of our country would be changed in a negative way if this is passed.

Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, August 19, 2024 8:41 AM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: PublicComment

Submitted at 08/19/24 8:41 AM

Meeting Date: 08/20/24

Meeting: Development Committee

Name: giulia naccarato

Organization:

Address: winfield , IL 60190

**Daytime
Phone:**

Subject: Against the Accessory Dwelling Units-potential disaster

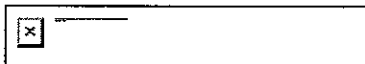
Comment:

Please listen to the view of the constituents in this county. I believe that the ADU amendment is a potential disaster for the county to monitor or enforce. ADUs will negatively impact police, fire, post office and emergency services to residents. Single-family residential zoning as we know it will no longer exist. Encouraging residents to become uninformed, vulnerable landlords threatens them, their neighbors and the renters. Liabilities regarding ADUs will rest solely on the homeowner/landlord. The impact to schools, voting and census are unknowns.

Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, August 19, 2024 12:59 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: PublicComment

Submitted at 08/19/24 12:58 PM

Meeting Date: 08/19/24

Meeting: Development Committee

Name: Ralph Watt

Organization:

Address: [Redacted]
Winfield, IL 60190

**Daytime
Phone:**

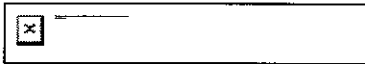
Subject: Petition T-2-24

Comment: We oppose approval of petition T-2-24. As written, it is vague and open ended and thus unenforceable. At ZBA meeting, all citizens attending and speaking opposed the changes and to our knowledge all written comments also opposed. The text also contradicts itself in several areas.

Blakely, Heidi

From: noreply@formstack.com
Sent: Monday, August 19, 2024 2:02 PM
To: Web Master; County Board Public Comment
Subject: PublicComment

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Formstack Submission For: PublicComment

Submitted at 08/19/24 2:02 PM

Meeting Date: 08/20/24

Meeting: Development Committee

Name: Kathy Hydo

Organization:

Address: Winfield, IL 60190

**Daytime
Phone:**

Subject: I OPPOSE T-2-24 Proposed Amendments re: Accessory Dwelling Units

Comment:

I OPPOSE T-2-24 PROPOSED AMENDMENTS.
* I do not agree that ADUs should be assessed property taxes at a lower per square foot value than the associated primary residence. ADUs would require all services as the primary residence including police, fire, schools, highways and roads, parks, libraries, etc. ALL residents of DuPage County should pay their fair share.
* There need to be restrictions as established in the existing code for the ADU and its occupants. Not having proper restrictions will create countless

problems for homeowners, first responders as well as County staff tasked to provide oversight and enforcement.

* The proposed changes are unfair, discriminatory, unenforceable and potentially an opportunity for income tax fraud. * * These changes prohibit primary residences which already have maximum occupancy (per DuPage codes/ordinances) from owning an ADU.

* It is unfair and discriminatory to prohibit all future ADUs from being constructed regardless of the occupancy, health, family or financial status of the property owner.

* ADUs need to have their own well and septic. I see nothing in the amendment that takes this into consideration when determining ADU square footage as compared to lot size and primary residence square footage.

* By allowing parties unrelated to the owner and/or each other, it provides no protections for the occupants of either building - the ADU nor the primary residence. At a minimum, it potentially opens the door to squatters, human traffickers, and domestic abuse.

* Home values will be adversely affected as well. Who wants to buy a home next door to a property that has extra people living in what used to be their garage?

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