



DU PAGE COUNTY

Development Committee

Regular Meeting Agenda

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

Tuesday, July 1, 2025

10:30 AM

Room 3500B

1. CALL TO ORDER

2. ROLL CALL

3. CHAIRMAN'S REMARKS- CHAIR TORNATORE

4. PUBLIC COMMENT

5. MINUTES APPROVAL

5.A. [25-1624](#)

Development Committee - Regular Meeting - June 17, 2025

6. REGULATORY SERVICES

6.A. [DC-O-0026-25](#)

ZONING-25-000022 – ORDINANCE – Perez: The Zoning Hearing Officer recommended to approve the following zoning relief:

Rezoning from B-1 Local Business to R-4 Single Family Residential. (Addison/District 1) (Generally located southeast of Lake Street and 9th Avenue, on the east side of 9th Avenue)

ZHO Recommendation to Approve

6.B. [DC-O-0027-25](#)

ZONING-25-000026 – ORDINANCE – Fawell: The Zoning Hearing Officer recommended to approve the following zoning relief:

1. Variation to allow a detached accessory building (proposed shed) in front of the front wall of the existing home.

2. Variation to reduce the interior side yard for a new shed from required 10 feet to approximately 3 feet. (Winfield/District 6) (Generally located northeast of Williams Road and Morris Court, on the north side of Morris Court)

ZHO Recommendation to Approve

6.C. [DC-O-0028-25](#)

ZONING-25-000031 – ORDINANCE – Blachuciak: The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to increase the height of a new fence in the rear yard from permitted 6'6" to approximately 8'. (Downers Grove/District 3) (Generally located southeast of Grant Street and Rodgers Court, on the east side of Grant Street)

ZHO Recommendation to Approve

6.D. [25-1625](#)

T-5-25 PROPOSED TEXT AMENDMENTS TO THE COUNTY ZONING ORDINANCE RELATIVE TO SHORT TERM RENTALS OF A RESIDENTIAL DWELLING UNIT. Action item: Request to send to ZBA for public hearing.

7. **PRESENTATION**7.A. [25-1626](#)

Building & Zoning Department FY2026 Budget Presentation

8. **OLD BUSINESS**9. **NEW BUSINESS**10. **ADJOURNMENT**



Minutes

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

File #: 25-1624

Agenda Date: 7/1/2025

Agenda #: 5.A.



DU PAGE COUNTY

Development Committee

Final Summary

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

Tuesday, June 17, 2025

10:30 AM

Room 3500B

1. CALL TO ORDER

10:30 AM meeting was called to order by Chair Sam Tornatore at 10:38 AM.

PRESENT	Covert, Krajewski, Ozog, Rutledge, Tornatore, Yoo, and Garcia
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2. ROLL CALL

PRESENT	Covert, Tornatore, Yoo, and Garcia
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ABSENT	Krajewski, Ozog, and Rutledge
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3. CHAIRMAN'S REMARKS- CHAIR TORNATORE

Chair Tornatore appointed County Board Member Paula Garcia to the Committee to create a quorum.

4. PUBLIC COMMENT

Tracy Kasson, attorney for the McMaster petition was there to represent his client.

5. MINUTES APPROVAL

5.A. [25-1466](#)

Development Committee - Regular Meeting - June 3, 2025

Attachments: [Final Summary Minutes 6-3-25.pdf](#)

RESULT:	APPROVED
MOVER:	Sadia Covert
SECONDER:	Yeena Yoo
AYES:	Covert, Tornatore, Yoo, and Garcia
ABSENT:	Krajewski, Ozog, and Rutledge

6. REGULATORY SERVICES

6.A. [DC-O-0022-25](#)

ZONING-25-000015 – ORDINANCE – Mamalat, LLC.: To approve the following zoning relief:

Conditional Use for a Planned Development to allow two (2) attached dwelling units on two (2) adjacent lots in the R-4 Single Family Zoning District, with the following exceptions:

1. To reduce the north interior side setback for Proposed Lot 1 from required 20 feet to

approximately 10 feet;

2. To reduce the south interior side setback for Proposed Lot 1 from required 20 feet to approximately 6.44 feet;

3. To reduce the north interior side setback for Proposed Lot 2 from required 20 feet to approximately 6.44 feet;

4. To reduce the south interior side setback for Proposed Lot 2 from required 20 feet to approximately 10 feet; and

5. To increase the Floor Area Ratio (FAR) from permitted 0.25 to approximately 0.5 for Proposed Lot 1 and approximately 0.48 for Proposed Lot 2. (Naperville/District 5)

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

Development Committee VOTE (Motion to Approve Failed): 0 Ayes, 4 Nays, 3 Absent

Jessica Infelise Datzman, Zoning Administration Coordinator explained why the Zoning Board of Appeals recommended to deny the petition. It was based on the fact the petitioner didn't present any standards for the conditional use and lacks the necessary land area to support a duplex on both properties. Chair Tornatore added, there was no hardship presented, no unique circumstances and was out of character with properties in the area. This was primarily an economic request.

Attachments: [Z-25-000015 Mamalat, LLC. Cty. Bd. \(06-24-2025\)_Redacted.pdf](#)

RESULT: RECOMMENDED TO DENY (DEVELOPMENT ONLY)

MOVER: Sadia Covert

SECONDER: Yeena Yoo

NAY: Covert, Tornatore, Yoo, and Garcia

ABSENT: Krajewski, Ozog, and Rutledge

6.B. [DC-O-0023-25](#)

ZONING-25-000016 – ORDINANCE – McMaster: To approve the following zoning relief:

Variation from Section 37-704.3 to reduce the lot width from 75 to 50 feet for lots served by sewer and water to create two buildable lots on the property. (Milton/District 4)

ZHO Recommendation to Approve

Development Committee VOTE (Motion to Approve): 4 Ayes, 0 Nays, 3 Absent

Vice Chair Yoo inquired about the objection from neighbors. Ms. Infelise Datzman explained there were neighbors who came to the hearing who are on larger lots. The Zoning Hearing Officer found that some of those lots are actually two lots, with a house on one. However most of the subdivision has 50' wide lots. He found this request did meet the overall character of the neighborhood.

Attachments: [Z-25-000016 McMaster Cty. Bd. \(06-24-2025\)_Redacted.pdf](#)

RESULT: APPROVED AT COMMITTEE

MOVER: Yeena Yoo

SECONDER:	Paula Garcia
AYES:	Covert, Tornatore, Yoo, and Garcia
ABSENT:	Krajewski, Ozog, and Rutledge

6.C. [DC-O-0024-25](#)

ZONING-25-000018 – ORDINANCE – Tessel: To approve the following zoning relief: Variation to reduce the interior side property setback for a new shed from required 10 feet to approximately 3 feet 10 inches (replacing existing shed with new shed on existing slab). (York/District 2)

ZHO Recommendation to Approve

Development Committee VOTE (Motion to Approve): 4 Ayes, 0 Nays, 3 Absent

Attachments: [Z-25-000018 Tessel Cty. Bd. \(06-24-2025\).pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Paula Garcia
SECONDER:	Sadia Covert
AYES:	Covert, Tornatore, Yoo, and Garcia
ABSENT:	Krajewski, Ozog, and Rutledge

6.D. [DC-O-0025-25](#)

ZONING-25-000025 – ORDINANCE – Assumption Cemetery: To approve the following zoning relief:

Conditional Use to allow a second mausoleum building on the subject property. (Winfield/District 6)

ZHO Recommendation to Approve

Development Committee VOTE (Motion to Approve): 4 Ayes, 0 Nays, 3 Absent

Member Garcia inquired if this request is typical for a cemetery. Ms. Infelise Datzman answered that this property is located in a single family zoning district, in which cemeteries are a conditional use within them. The petition is requesting to building upon what they already have.

Attachments: [Z-25-000025 Assumption Cemetery Cty. Bd. \(06-24-2025\) Redacted.pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Yeena Yoo
SECONDER:	Paula Garcia
AYES:	Covert, Tornatore, Yoo, and Garcia
ABSENT:	Krajewski, Ozog, and Rutledge

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 10:47 A.M.



Development Ordinance

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

File #: DC-O-0026-25

Agenda Date: 7/1/2025

Agenda #: 6.A.



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Hearing Officer

DATE: June 18, 2025

RE: **ZONING-25-000022 Perez (Addison/District 1)**

Development Committee: July 1, 2025:

Zoning Hearing Officer: June 18, 2025: The Zoning Hearing Officer recommended to approve the following zoning relief:

Rezoning from B-1 Local Business to R-4 Single Family Residential.

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-25-000022 Perez** dated June 4, 2025.
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 they seek the subject zoning relief to rezone the subject property from B-1 Local Business to R-4 Single Family Residential.
- B. That petitioner testified that he is downzoning the subject property and converting the existing building into a single-family home.
- C. That petitioner testified that other than the properties directly north and east of the subject property, all other properties west and south of the subject property are zoned single family residential in both the Village of Addison and unincorporated DuPage County.

- D. That petitioner testified the subject property zoned as B-1 Local Business is not compatible with the surrounding area and that the subject property has been vacant for over eight (8) years.
- a. Furthermore, that there are only single-family homes being constructed in the surrounding area.
- E. That the Zoning Hearing Officer finds that petitioner has demonstrated the minimum of Standards for a Map Amendment (Rezoning) and that the Hearing Officer finds that downzoning the subject property from B-1 Local Business to R-4 Single Family Residential is suitable for the subject property and compatible with the surrounding area and neighborhood trend of development.

STANDARDS FOR MAP AMENDMENT (REZONING):

That the Zoning Hearing Officer finds that petitioner **has demonstrated** that the granting of the map amendment (rezoning) is in harmony with the general purpose and intent of the Zoning Ordinance, and that the petitioner has demonstrated the following standards for a map amendment (rezoning):

1. Existing uses of property within the general area of the property in question, as petitioner **has demonstrated** that the property directly to the west is located in the Village of Addison and is a single family home; that the property to the south is located in the Village of Addison and is a single family home; that the property directly to the east is located in the Village of Addison and is an office building; and that the property directly to the north is located in the Village of Addison and is a commercial Tupperware store.
2. The zoning classification of property within the general area of the property in question, as petitioner **has demonstrated** that the property directly to the west is located in the Village of Addison and is a single family home; that the property to the south is located in the Village of Addison and is a single family home; that the property directly to the east is located in the Village of Addison and is an office building; and that the property directly to the north is located in the Village of Addison and is a commercial Tupperware store.
3. The suitability of the property in question for the uses permitted under the existing zoning classification, as petitioner **has demonstrated** that the subject property is not suitable under the existing zoning classification as it has remained vacant for over eight (8) years and that the subject property is primarily surrounded by single family homes.
4. The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the property in question was placed in its present zoning classification, as petitioner **has demonstrated** that the trend of development in the general area is primarily toward single family homes.
5. The length of time the property has been vacant as zoned, considered in the context of the land development in the area surrounding the subject property, as petitioner **has demonstrated** that the subject property has been vacant for over eight (8) years as a B-1 Local Business property.

6. The extent to which the property values are diminished by particular zoning restrictions, as petitioner **has demonstrated** that the existing B-1 Local Business zoning district is not compatible with the surrounding land uses, and that the subject property has remained vacant for over eight (8) years as a commercial property.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-25-000022 Perez	
ZONING REQUEST	Rezoning from B-1 Local Business to R-4 Single Family Residential.	
OWNER	NEWFLOW LLC., 4N481 9 TH AVENUE, ADDISON, IL 60101 / NEWFLOW LLC., 1980 GARDNER CIRCLE E, AURORA, IL 60503 / AGENT: ADALBERTO PEREZ, 1980 GARDNER CIRCLE E, AURORA, IL 60503	
ADDRESS/LOCATION	4N481 9 TH AVENUE, ADDISON, IL 60101	
PIN	03-20-112-005/ 03-20-112-006	
TWSP./CTY. BD. DIST.	ADDISON	DISTRICT 1
ZONING/LUP	B-1 LOCAL BUSINESS	0-5 DU AC/LOCAL BUSINESS
AREA	0.3 ACRES (13,068 SQ. FT.)	
UTILITIES	WELL/SEPTIC	
PUBLICATION DATE	Daily Herald: MAY 20, 2025	
PUBLIC HEARING	WEDNESDAY, JUNE 4, 2025	
<u>ADDITIONAL INFORMATION:</u>		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	Objects. (See attached documentation)	
Stormwater:	Our office has no jurisdiction in this matter.	
Public Works:	"DPC Public Works doesn't own any sewer or water mains in the area."	
EXTERNAL:		
Village of Addison:	No Objections.	
Village of Itasca:	"The Village of Itasca has no comment on this Zoning case."	
City of Wood Dale:	<i>No Comments Received.</i>	
Addison Township:	<i>No Comments Received.</i>	
Township Highway:	<i>No Comments Received.</i>	
Addison Fire Dist.:	<i>No Comments Received.</i>	
Sch. Dist. 4:	<i>No Comments Received.</i>	
Sch. Dist. 88:	<i>No Comments Received.</i>	
Forest Preserve:	<i>No Comments Received.</i>	

LAND USE:

Location	Zoning	Existing Use	LUP
Subject	B-1 LOCAL BUSINESS	HOUSE	0-5 DU AC/LOCAL BUSINESS
North	VILLAGE OF ADDISON	COMMERCIAL	VILLAGE OF ADDISON
South	VILLAGE OF ADDISON	HOUSE	VILLAGE OF ADDISON
East	VILLAGE OF ADDISON	COMMERCIAL	VILLAGE OF ADDISON
West	9 TH AVENUE AND BEYOND VILLAGE OF ADDISON	HOUSE	VILLAGE OF ADDISON







**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

DU PAGE COUNTY ZONING HEARING OFFICER PROGRAM Zoning Petition ZONING-25-000022 Perez

Please review the information herein and return with your comments to:

Jessica Infelise Datzman, DuPage County Building and Zoning Department, 421 North County Farm Road, Wheaton, Illinois 60187; or via email at Jessica.Infelise@dupagecounty.gov or via facsimile at 630-407-6702 by **June 3, 2025**.

COMMENT SECTION:	
<input type="checkbox"/> OUR OFFICE HAS NO JURISDICTION IN THIS MATTER	
<input type="checkbox"/> NO OBJECTION/CONCERNS WITH THE PETITION	
<input type="checkbox"/> NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION.	
<input type="checkbox"/> ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION	
<input checked="" type="checkbox"/> I OBJECT/HAVE CONCERNS WITH THE PETITION.	
COMMENTS: The current septic system is too small for the residential property that is proposed to be constructed. The applicant will have to submit plans for a new septic system or connect to public sewer. Outreach was made to the client but there was no answer.	
SIGNATURE	DATE: 6/4/2025
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT: Health Department	
GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-25-000022 Perez
ZONING REQUEST	Rezoning from B-1 Local Business to R-4 Single Family Residential.
OWNER	NEWFLOW LLC., 4N481 9 TH AVENUE, ADDISON, IL 60101 / NEWFLOW LLC., 1980 GARDNER CIRCLE E, AURORA, IL 60503 / AGENT: ADALBERTO PEREZ, 1980 GARDNER CIRCLE E, AURORA, IL 60503
ADDRESS/LOCATION	4N481 9 TH AVENUE, ADDISON, IL 60101
PIN	03-20-112-005/ 03-20-112-006
TWSP./CTY. BD. DIST.	ADDISON DISTRICT 1
ZONING/LUP	B-1 LOCAL BUSINESS 0-5 DU AC/LOCAL BUSINESS
AREA	0.3 ACRES (13,068 SQ. FT.)
UTILITIES	WELL/SEPTIC
PUBLICATION DATE	Daily Herald: MAY 20, 2025
PUBLIC HEARING	WEDNESDAY, JUNE 4, 2025

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



Development Ordinance

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

File #: DC-O-0027-25

Agenda Date: 7/1/2025

Agenda #: 6.B.



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Hearing Officer

DATE: June 18, 2025

RE: **ZONING-25-000026 Fawell (Winfield/District 6)**

Development Committee: July 1, 2025:

Zoning Hearing Officer: June 18, 2025: The Zoning Hearing Officer recommended to approve the following zoning relief:

1. Variation to allow a detached accessory building (proposed shed) in front of the front wall of the existing home.
2. Variation to reduce the interior side yard for a new shed from required 10 feet to approximately 3 feet.

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-25-000026 Fawell**, dated June 4, 2025.
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 he seeks the subject zoning relief to construction a new shed in front of the front wall of the existing home and approximately three (3) feet from the interior side property line.
- B. That petitioner testified that the subject home was constructed in 1947 and built completely at the rear of the subject property.

- a. Furthermore, that petitioner testified that the subject home has no basement or usable attic space and that they require additional storage on the property.
- C. That petitioner testified that his particular hardship and practical difficulty is due to the configuration of the subject property and location of the existing home and septic at the rear of the property, leaving all usable space on the property in front of the front wall of the home.
 - a. As such, petitioner testified that the only location to place a shed on the subject property is in front of the front wall of the home, approximately three (3) feet from the interior side property line.
- D. That the Zoning Hearing Officer finds that petitioner has demonstrated evidence for a particular hardship and practical difficulty for the subject zoning relief due to the configuration of the subject property and location of the existing home and septic system at the rear of the property, leaving all usable space in front of the front wall of the home.

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 two hundred (200) sq. ft. shed will not impact the light and air to adjacent properties.
 - b. Increase the hazard from fire or other dangers to said property as petitioner has demonstrated that he will receive a building permit for the proposed shed and that it will be constructed pursuant to all building codes.
 - c. Diminish the value of land and buildings throughout the County as petitioner has demonstrated that the location of the proposed shed 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 location of the proposed shed will not unduly increase traffic congestion as the shed will be setback approximately two hundred (200) feet from the front property line.
 - e. Increase the potential for flood damages to adjacent property as petitioner has demonstrated that the location of the proposed shed will not increase the potential for flood damages to adjacent properties.

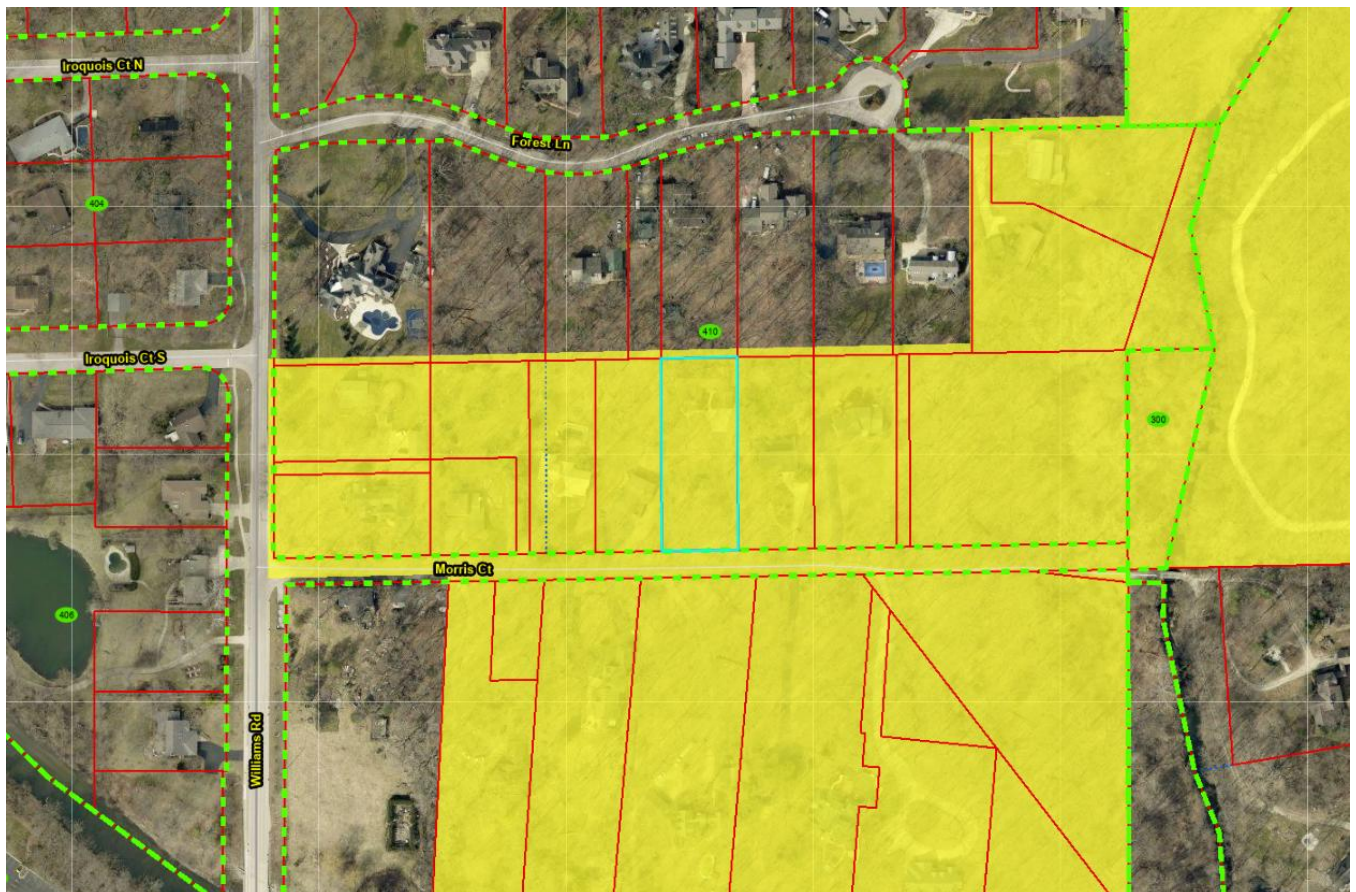
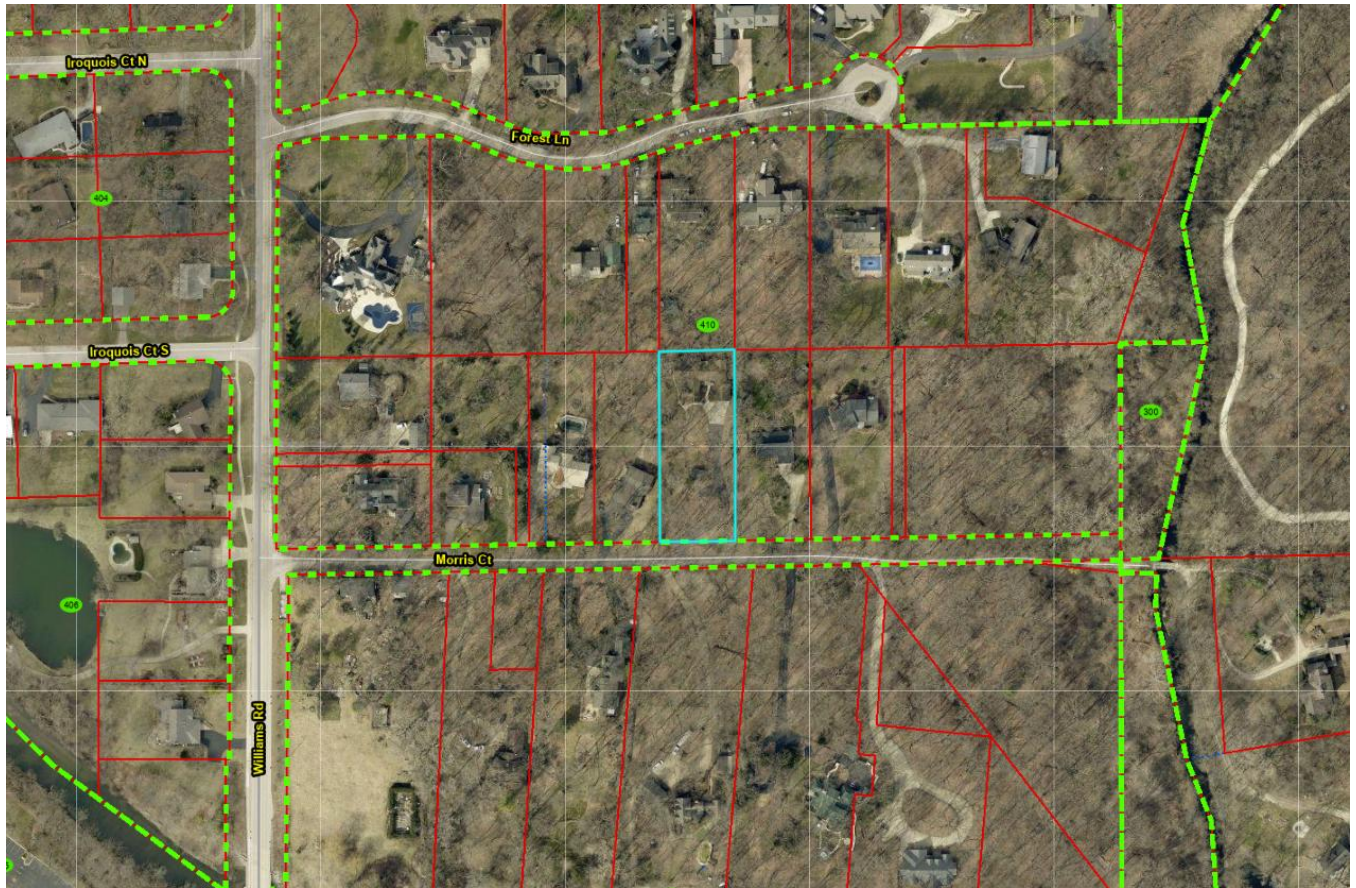
- f. Incur additional public expense for flood protection, rescue or relief as petitioner has demonstrated that the location of the proposed shed will not incur additional public expense for flood protection, rescue, or relief.
- g. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County as petitioner has demonstrated that the location of the proposed shed will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION			
CASE #/PETITIONER	ZONING-25-000026 Fawell		
ZONING REQUEST	1. Variation to allow a detached accessory building (proposed shed) in front of the front wall of the existing home. 2. Variation to reduce the interior side yard for a new shed from required 10 feet to approximately 3 feet.		
OWNER	ALEX AND RACHAEL FAWELL, 29W110 MORRIS COURT, WARRENVILLE, IL 60555-2216		
ADDRESS/LOCATION	29W110 MORRIS COURT, WARRENVILLE, IL 60555-2216		
PIN	04-27-410-040		
TWSP./CTY. BD. DIST.	WINFIELD	DISTRICT 6	
ZONING/LUP	R-2 SF RES	0-5 DU AC	
AREA	0.87 ACRES (37,897 SQ. FT.)		
UTILITIES	WELL/SEPTIC		
PUBLICATION DATE	Daily Herald: May 20, 2025		
PUBLIC HEARING	WEDNESDAY, JUNE 4, 2025		
<u>ADDITIONAL INFORMATION:</u>			
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 Public Works doesn't own any sewer or water mains in the area."		
EXTERNAL:			
City of Warrenville:	"None"		
City of Aurora:	<i>No Comments Received.</i>		
City of West Chicago:	<i>No Comments Received.</i>		
City of Naperville:	<i>No Comments Received.</i>		
Winfield Township:	<i>No Comments Received.</i>		
Township Highway:	"Our office has no jurisdiction in this matter."		
Warrenville Fire Dist.:	No Objections.		
Sch. Dist. 200:	<i>No Comments Received.</i>		
Forest Preserve:	<i>No Comments Received.</i>		
GENERAL BULK REQUIREMENTS:			
REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Int. Side Yard:	10 FT	NA	APPROX. 3 FT

LAND USE:

Location	Zoning	Existing Use	LUP
Subject	R-2 SF RES	HOUSE	0-5 DU AC
North	CITY OF WARRENVILLE	HOUSE	CITY OF WARRENVILLE
South	MORRIS COURT AND BEYOND R-2 SF RES	HOUSE	0-5 DU AC
East	R-2 SF RES	HOUSE	0-5 DU AC
West	R-2 SF RES	HOUSE	0-5 DU AC





STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

BEFORE THE DU PAGE COUNTY
ZONING BOARD OF APPEALS

IN RE THE MATTER OF:)
)
 Rachael & Alex Fawell)
 For Certain Variations at 29W110 Morris Court)
 Warrenville, IL 60555)
 PIN 04-27-410-040)

STATEMENT IN SUPPORT OF APPROVAL OF VARIATION REQUESTED
BY RACHEL AND ALEX FAWELL IN PETITION _____,
29W110 MORRIS COURT, WARRENVILLE (WINFIELD TOWNSHIP)

Background Facts

Rachael and Alex Fawell are the owners of a 33,350 sq. ft. lot located at 29W110 Morris Court, Warrenville, Winfield Township, in unincorporated DuPage County (the "Subject Property," Deed at Tab #A12).

The Fawells request this Board's favorable action to recommend approval of the variation from the County's R-2 Single Family zoning restrictions to permit the placement of a detached accessory building in the form of a prefabricated 10' X 20' shed on a level gravel bed in front of the front wall of the principal building, their house, approximately three (3) feet from the side yard lot line (Zoning Ordinance at Tab #A13 and A14).

The survey is included at Tab #A1. The requested variance is shown by a green rectangle and green text. Additional features of the property are shown in brown text. The property is a 33,350 sq. ft. lot with dimensions of 290' x 115'. It is located on Morris Court, a heavily wooded, dead-end residential street in unincorporated Warrenville.

The property is improved 2,960 sq. ft. home, the parties' residence, and an 18' x 11' frame building. The existing frame building is a shed which also houses the well pump. The property is zoned R-2 under the County's zoning ordinance. The property is on a well and septic system.

The Fawells propose to place this shed as shown in the attached exhibits. Due to the location of the house at the very back of the property, the wooded character of the lot, and the location of the septic field, it is essentially impossible to place the shed in conformity with the zoning ordinance. The house has a low dirt crawl and is single-story with minimal and largely inaccessible attic space. In consideration of this, the Fawells seek this variation for additional storage.

The proposed shed would conform with the character of the current property improvements and of the neighborhood. It would have brown siding and a shingle roof matching the siding and roof of the house. The shed would rest on a level gravel base. It would be manufactured and delivered by Countryside Barns in Eureka, Illinois.

The neighborhood supports this Petition. The owners of all of the adjoining residences and other residences in the area have signed petitions stating that they do not object to the requested variance.

Analysis of Applicable Standards

The standards applicable to variation requests are set forth in Section 37-1411.3 (Tab #A14). The Fawells submit the following analysis in support of the consistency of the variation request to the applicable standards.

A. There are practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations of the Zoning Ordinance. Due to the location of the house at the very back of the property, the wooded character of the lot, and the location of the septic field, it is essentially impossible to place the shed in conformity with the zoning ordinance. The house, which was built in 1947, abuts the rear property line. On the east side of the house, the house is between 9' and 15' from

the property line, and this area is wooded. On the west side of the house, in the far northwest corner of the property, there is a wood deck. The septic tank is located beneath the wood deck, and the septic field extends south of the deck past the front wall of the house. This leaves only the area in front of the front wall of the house as a practical solution for placement of a shed. Due to the unique layout of this property, there is no backyard in which to place it, which creates a hardship and difficulty for the property.

B. The granting of any 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. There is an existing shed on the property in front of the front wall. Most if not all of the neighbors on Morris Court have one or more outbuildings. These outbuildings are able to be behind the front walls of the principal buildings on their respective properties due to the fact that other houses are located closer to the front property line. It is the Fawells understanding that their house was constructed before many of the neighboring properties and, accordingly, various unique features exist. The addition of a useful storage shed will benefit the neighborhood and public welfare. The investment in the subject property will increase the value of the property and, thereby, the value of other properties in the neighborhood.

C. The granting of any variation will not result in any of the conditions described in 37-1411.3(B).

1. There will be no impairment of light or air supply to adjacent property. The 6' 4.5" sidewall height and proposed location of the shed will in no way impair light or air supply to the neighboring properties.

2. There will be no increase of fire or other hazards. This will be a prefabricated shed with no electrical connections.

3. There will be no diminishment of land or building values.

The addition of a useful storage shed will likely increase land and building values.

4. There will no increase in traffic to the neighborhood.

5. There will be no increase to flood damage potential. This will be a prefabricated shed with no water connections resting on a level gravel bed.

6. There will be no increase in public expense for flood protection. This will be a prefabricated shed with no water connections resting on a level gravel bed.

7. There will be no impairment to public health, safety, comfort, morals, or general welfare as a result of the addition of this prefabricated garden shed.

Morris Court is a quiet, heavily wooded, dead-end Street in unincorporated Warrenville on which there are 15 lots. There are six lots on the south side of the road, all of which adjoin the west branch of the DuPage River. There are seven lots on the north side of the road, which is where the subject property is located. The end of Morris Court passes through part of Blackwell Forest preserve and across Spring Brook, where there are two additional lots. The neighborhood has a rural, woodland character with many hundred-plus-year-old white oaks and large lots. The character of the neighborhood is conducive to outbuildings.

In addition, the Zoning Board of Appeals or the Zoning Hearing Officer may recommend that conditions and restrictions be imposed upon the premises benefited by a variation as may be necessary to comply with the criteria established in this subsection to reduce or minimize the effect of such variation upon other property in the area, and to better carry out the general intent of this chapter.

Conclusion

These unique circumstances create a hardship to the property and, based upon the foregoing, the owners, Rachael and Alex Fawell, respectfully request a positive recommendation from the Board for their variation request.

RACHAEL FAWELL

ALEX FAWELL

Alex Fawell
Fawell & Fawell
2100 Manchester Road, Suite 1085
Wheaton, Illinois 60187
(630) 871-2400
alexfawell@gmail.com



Development Ordinance

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

File #: DC-O-0028-25

Agenda Date: 7/1/2025

Agenda #: 6.C.



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Hearing Officer

DATE: June 18, 2025

RE: **ZONING-25-000031 Blachuciak (Downers Grove/District 3)**

Development Committee: July 1, 2025:

Zoning Hearing Officer: June 18, 2025: The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to increase the height of a new fence in the rear yard from permitted 6'6" to approximately 8'.

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-25-000031 Blachuciak** dated June 4, 2025.
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 construct an 8-foot-tall privacy fence in the rear yard where the subject property directly backs up to Cass Avenue.
- B. That petitioner testified that she has no privacy or security for her backyard as the subject property is situated lower in elevation than Cass Avenue, resulting in pedestrians walking along the Cass Avenue sidewalk looking directly into her backyard and making comments to her children.

- C. That petitioner testified that she has a practical difficulty and particular hardship with her land as the subject property has a sloped yard that sits lower than Cass Avenue, resulting in no backyard privacy even with a 6'6" privacy fence, and that she requires an 8' tall privacy fence in order to safely secure her backyard area.
- D. That the Zoning Hearing Officer finds that petitioner has demonstrated a practical difficulty and particular hardship with her land, as the subject property has a sloped yard and sits lower in elevation than Cass Avenue and that she requires an 8' tall privacy fence in order to safely secure her backyard area.

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 8-foot fence in the rear yard will not impact the light and air to adjacent properties, as the subject property backs up to Cass Avenue.
 - b. Increase the hazard from fire or other dangers to said property as petitioner has demonstrated that she will receive a building permit for the proposed fence and that it will be constructed pursuant to all building codes.
 - c. Diminish the value of land and buildings throughout the County as petitioner has demonstrated that the location of the proposed fence will not diminish the value of land and buildings throughout the County and will be an added benefit to the surrounding area.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner has demonstrated that the proposed fence will not unduly increase traffic congestion in the public streets and highways as the subject property sits lower in elevation than Cass Avenue.
 - e. Increase the potential for flood damages to adjacent property as petitioner has demonstrated that the proposed fence will not increase the potential for flood damages to adjacent properties.
 - f. Incur additional public expense for flood protection, rescue or relief as petitioner has demonstrated that the proposed fence 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 fence will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County and will be an added benefit to the surrounding area.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION			
CASE #/PETITIONER	ZONING-25-000031 Blachuciak		
ZONING REQUEST	Variation to increase the height of a new fence in the rear yard from permitted 6'6" to approximately 8'.		
OWNER	KIMBERLY BLACHUCIAK, 8S087 GRANT STREET, DARIEN, IL 60561-3625		
ADDRESS/LOCATION	8S087 GRANT STREET, DARIEN, IL 60561-3625		
PIN	09-28-208-006		
TWSP./CTY. BD. DIST.	DOWNERS GROVE	DISTRICT 3	
ZONING/LUP	R-4 SF RES	0-5 DU AC	
AREA	0.24 ACRES (10,454 SQ. FT.)		
UTILITIES	WATER/SEWER		
PUBLICATION DATE	Daily Herald: MAY 20, 2025		
PUBLIC HEARING	WEDNESDAY, JUNE 4, 2025		
ADDITIONAL INFORMATION:			
Building:	No Objections.		
DUDOT:	No Objections with the concept of the petition. Additional information may be required at time of permit application. "Highway Permit required if installation accessed from Cass Avenue."		
Health:	Our office has no jurisdiction in this matter.		
Stormwater:	Our office has no jurisdiction in this matter.		
Public Works:	"DPC Public Works owns an 8" sanitary sewer main on the north side of the property. They should fill out an easement encroachment form, so they know we own a sewer main in the area they are working and avoid that sewer main."		
EXTERNAL:			
City of Darien:	<i>No Comments Received.</i>		
Village of Willowbrook:	<i>No Comments Received.</i>		
Village of Downers Grove:	"The Village of Downers Grove has no comments."		
Village of Westmont:	<i>No Comments Received.</i>		
Downers Grove Township:	<i>No Comments Received.</i>		
Township Highway:	<i>No Comments Received.</i>		
Darien-Woodridge Fire Dist.:	<i>No Comments Received.</i>		
Sch. Dist. 61:	<i>No Comments Received.</i>		
Sch. Dist. 99	"No Concerns"		
Forest Preserve:	<i>No Comments Received.</i>		
GENERAL BULK REQUIREMENTS:			
REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Height:	6'6"	NA	APPROX. 8'

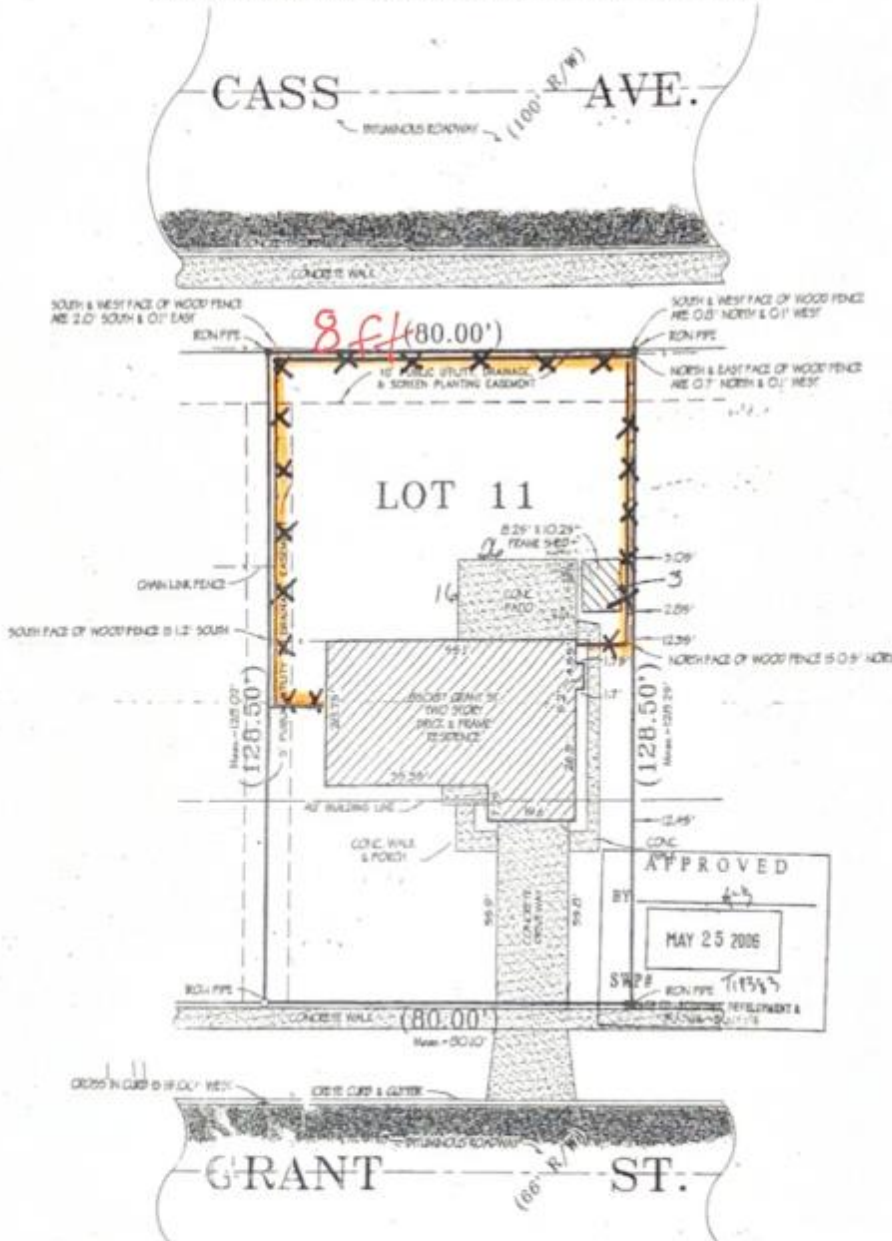
LAND USE:

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	HOUSE	0-5 DU AC
East	CASS AVENUE AND BEYOND CITY OF DARIEN	HOUSE	CITY OF DARIEN
West	GRANT STREET AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC

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PLAT OF SURVEY

LOT 11 IN GALLAGHER AND HENRY'S BROOKHAVEN MANOR UNIT NUMBER 1, BEING A SUBDIVISION IN SECTION 28, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 13, 1987 AS DOCUMENT NUMBER R57-46437 AND R58-6868, IN DU PAGE COUNTY, ILLINOIS.



STATE OF ILLINOIS
 COUNTY OF DU PAGE

THIS IS TO CERTIFY THAT I, ALLEN D. CARRADUS, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF ILLINOIS, HAVE SURVEYED THE PROPERTY AS DESCRIBED HEREON AND THAT THE ANNEXED PLAT IS A CORRECT AND TRUE REPRESENTATION THEREOF.

SIGNED AND SEALED AT NEWFIELD, ILLINOIS, THIS 20th DAY OF April, A.D. 2006.
 BY *Allen D. Carradus*, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 30-0281.



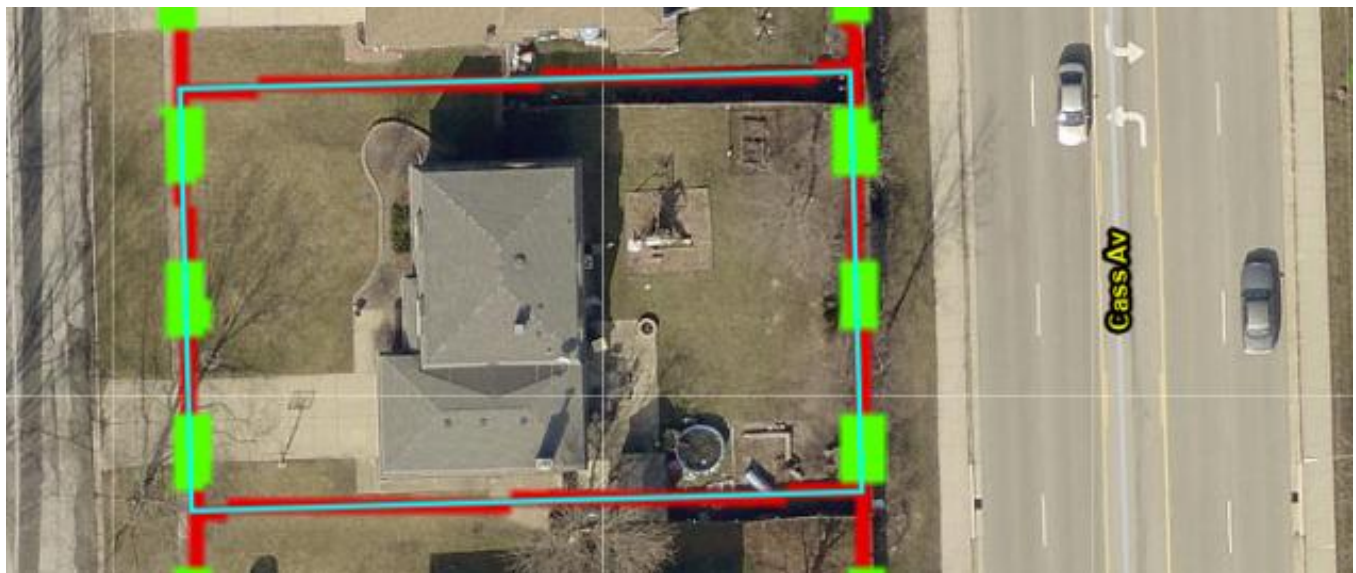
- NOTES
1. All distances shown herein are in feet and decimal parts thereof (rounded).
 2. Compare the Legal Description, Building Lines, and Easements to those on the plat.
 3. Correct local authorities for additional setbacks and restrictions not shown.
 4. Compare all survey points and report any discrepancies immediately.
 5. Compare all utility companies and municipalities prior to the start of any project.
 6. Dimensions to and along buildings are given in rounded measurements.
 7. Do not assume distances from adjacent measurements made herein.

ALLEN D. CARRADUS
 Land Surveying, Land Planning, & Engineering, Inc.

100 W. Liberty Drive, Wheaton, Illinois 60187
 (630) 588-2418 (Fax) 630-588-7661

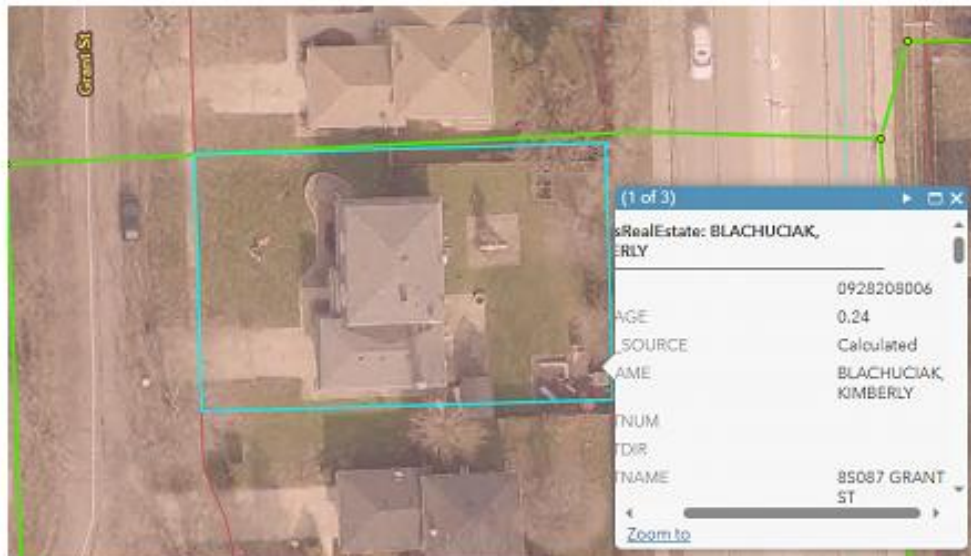
REGISTERED: ROLEWICK & GUTZKE, P.C.
 JUN 04/13/01 SCALE: 1" = 20'





From: Polewski, Genevieve
Sent: Wednesday, May 21, 2025 2:23 PM
To: Infelise, Jessica
Subject: RE: DuPage County Zoning Notification - ZONING-25-000031 Blachuciak

DPC Public Works owns a 8" sanitary sewer main on the north side of the property. They should fill out an easement encroachment form so they know we own a sewer main in the area they are working and avoid that sewer main.





Action Item

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

File #: 25-1625

Agenda Date: 7/1/2025

Agenda #: 6.D.



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Development Committee

FROM: Staff

DATE: July 1, 2025

RE: **T-5-25 PROPOSED TEXT AMENDMENTS TO THE
COUNTY ZONING ORDINANCE RELATIVE TO SHORT
TERM RENTALS OF A RESIDENTIAL DWELLING UNIT.**

DuPage County Development Committee: July 1, 2025: T-5-25 Proposed Text Amendments: Request to proceed with a public hearing before the DuPage County Zoning Board of Appeals to consider proposed Text Amendments T-5-25 to the DuPage County Zoning Ordinance regarding short term rentals of a residential dwelling unit, to align the Zoning Ordinance with current initiative for housing solutions.

EXHIBIT A:

Amend ARTICLE III. - RULES AND DEFINITIONS, Section 37-302:
DEFINITIONS:

RESIDENTIAL STRUCTURE:

A residential structure located in a residential zoning district, as residential districts are defined in ARTICLE III. - RULES AND DEFINITIONS, Section 37-302: -DEFINITIONS hereof (Zoning Ordinance), as amended from time to time.

SHORT-TERM RESIDENTIAL RENTAL: A residential structure, as defined herein, offered for rent for a period which does not exceed thirty (30)

consecutive days. The term "short-term residential rental" shall not include hotels, motels, bed and breakfast establishments, boarding facilities, group dwelling quarters or half-way houses as defined herein.

SHORT-TERM RESIDENTIAL RENTAL PROPERTY OWNER: An individual or entity which has title to a residential dwelling unit or property which is the subject of a short-term residential dwelling unit rental.

Amend Section 37-418: - HOME OCCUPATIONS, PRINCIPAL ARTERIAL OFFICE USE,
~~AND PRINCIPAL ARTERIAL CONVERSION OF A SINGLE DWELLING INTO TWO (2)~~
DWELLING UNITS. **AND SHORT TERM RENTALS AS A HOME OCCUPATION**

D. HOME OCCUPATION FOR SHORT TERM RENTAL OF A DWELLING UNIT REQUIREMENTS: A home occupation for short term rental of a dwelling unit shall be treated as an accessory use, shall be incidental and secondary to the principal use of the residence as a dwelling unit and shall meet all of the following requirements herein:

1. **It shall be unlawful for a short-term residential rental property owner to rent, lease or allow the occupancy of a dwelling unit for a home occupation for short term rental of a dwelling unit unless the short-term residential rental property owner obtains and maintains a valid home occupation for short term rental of a dwelling unit license from DuPage County.**
2. **In order for a dwelling unit to be operated as a home occupation for short term rental of a dwelling unit, the short-term residential rental property owner is required to obtain an annual license from DuPage County for the home occupation for short term rental of a dwelling.**
 - a. **The burden is upon each short-term residential rental property owner applicant to demonstrate the suitability and qualifications for the license of a property or dwelling unit to establish a short term residential dwelling unit.**
 - b. **Each license for a short term rental of a dwelling unit issued by DuPage County shall expire on June 30 of each year unless sooner revoked as provided by law, with an annual fee of (to be determined at a later date) per license payable in full at the time the application and renewal is filed with DuPage County.**

- c. The rental of a short-term residential dwelling unit application shall list all requirements for each home occupation for short term rental of a dwelling unit and is subject to the regulations herein.
- d. Each short term rental of a dwelling unit shall be subject to inspection by DuPage County prior to the issuance of a license to ensure compliance with the DuPage County Building Code, Health Department Code, DuPage County Countywide Stormwater & Floodplain Ordinance, County Zoning Ordinance or any other applicable ordinance or code promulgated by DuPage County or state or federal statute.
- e. Shall be operated in its entirety within the residence and only by the short-term residential rental property owner of the dwelling therein with the following exception:
 - (1) The exception to the requirement hereinabove shall be the use of any existing outdoor recreational facilities and equipment on the property including swimming pool, playground apparatus, patio, deck, and open space used for typical domestic purposes.
 - (2) The exception herein does not apply nor allow for the any temporary apparatus to be brought on the property for outdoor recreational activity
- f. Shall not have any sleeping areas in an attached or detached accessory building or attached garage.
- g. Shall not contain a separate entrance from outside the building directly serving and only serving the area of the short term rental of a dwelling unit.
- h. Shall not display outside the building any evidence of the short term rental of a dwelling unit, (other than an identification nameplate).
 - (1) May display one (1) short term rental of a dwelling unit identification nameplate: The maximum area of such nameplate shall be no greater than two (2) square feet, and such nameplate shall be affixed flat against a wall or door or may extend up to eighteen inches (18") from a wall provided safe access is available for patrons.
- i. Shall not permit the occupancy of more than five (5) people who are unrelated by blood or marriage.

- j. Shall not utilize commercial or industrial equipment (including but not limited to mechanical or electrical equipment), other than the type commonly found in dwelling unit.
 - k. Shall not permit delivery of goods and services by other than private passenger vehicles, parcel service, or letter carrier.
 - l. Shall not permit the outdoor parking of more than Six (6) passenger vehicles simultaneously on the property for those who will occupy the short term rental of a dwelling unit. All parking shall be located on a hard surface consisting of either asphaltic concrete, reinforced Portland cement concrete or brick paver or any combination thereof.
 - m. Shall not produce noise, obnoxious odors, vibrations, glare, fumes or electrical interference detectable to normal sensory perception outside the structure.
 - n. Shall allow no more than one (1) short term rental of a dwelling unit.
 - o. Shall not permit the on-site storage and /or use of dangerous substances including fireworks
3. Inspection of premises.
- (a) Authorized representatives of DuPage County shall make an inspections of the premises of a licensed or required to be licensed short term rental of a dwelling unit herein for purpose of determining if the premises are in compliance with the regulations herein or of this chapter, or any provision of any other DuPage County code or any applicable state or federal statute
4. Revocation/suspension of license.
- (a) DuPage County may revoke or suspend any license for a short term rental of a dwelling unit issued by DuPage County if it is determined the licensed establishment has violated any of the provisions of this chapter, or any provision of any other DuPage County code or any applicable state or federal statute.

5. Special Event: A short-term residential rental property owner is permitted to seek s Special Event permit per Section 37-408: - SPECIAL EVENTS AND TENTS herein to allow for exceptions to the regulations herein on a temporary basis.

Add to sections 37-701.1; 37-702.1; 37-703.1; 37-704.1; 37-705; 37-706.1; 37-707.1. permitted uses:

Home occupations, principal arterial office use, principal arterial conversion of a single dwelling into two (2) dwelling units and home occupation for short term rental of a dwelling unit per section 37-418.

END



Presentation

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

File #: 25-1626

Agenda Date: 7/1/2025

Agenda #: 7.A.
