



# DU PAGE COUNTY

## Development Committee

### Final Regular Meeting Agenda

421 N. COUNTY FARM ROAD  
WHEATON, IL 60187  
[www.dupagecounty.gov](http://www.dupagecounty.gov)

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Tuesday, September 2, 2025

10:30 AM

Room 3500B

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1. CALL TO ORDER

2. ROLL CALL

3. CHAIRMAN'S REMARKS- CHAIR TORNATORE

4. PUBLIC COMMENT

5. MINUTES APPROVAL

5.A. [25-2055](#)

Development Committee - Regular Meeting - August 19, 2025

6. REGULATORY SERVICES

6.A. [DC-O-0031-25](#)

ZONING-25-000035 – Hanna's – Wheaton, LLC.: The Zoning Board of Appeals recommended to deny the following zoning relief:

1. Conditional Use to allow a video gaming cafe restaurant in a B-1 Local Business Zoning District.

2. Variation to allow a video gaming café restaurant to be located less than 1,000 feet from a place of assembly use. (Milton/District 4) (Located at the southwest corner of Geneva Road and Pleasant Hill Road)

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

6.B. [DC-O-0033-25](#)

ZONING-25-000030 – Kosela: The Zoning Board of Appeals recommended to deny the following zoning relief:

Variation to reduce the required lot size for two (2) new lots served with well and septic, from required 40,000 sq. ft./each to approximately 16,142 sq. ft. for proposed Lot 1 and approximately 16,112 sq. ft. for proposed Lot 2. (Lisle/District 2) (Located at the northeast corner of Essex Road and Kohley Road)

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

6.C. [DC-O-0034-25](#)

ZONING-25-000033 – Duebner: The Zoning Hearing Officer recommended to approve the following zoning relief:

1. Variation to increase the height of a fence in the front yard from 4 feet 6 inches to not more than 6 feet.
2. Variation to increase the opacity of a fence in the front yard from 50% open to 100% closed. (Milton/District 4) (Located at the northeast corner of Stanley Street and Prairie Avenue)

ZHO Recommendation to Approve

6.D. [DC-O-0035-25](#)

ZONING-25-000038 – GIN/SODY Investments, LLC.: The Zoning Hearing Officer recommended to approve the following zoning relief:

1. Variation to allow an 8' privacy fence within the 40' front yard setback
2. Variation to allow an 8' privacy fence within the 30' corner side yard setback. (Downers Grove/District 3) (Located at the southwest corner of Nielson Lane and Route 83)

ZHO Recommendation to Approve

6.E. [DC-O-0036-25](#)

ZONING-25-000039 – Porter: The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to reduce the interior side setback for a new shed from required 10' to approximately 3'. (Winfield/District 6) (Located on the east side of the Lost Meadows Lane cul-de-sac)

ZHO Recommendation to Approve

6.F. [DC-O-0037-25](#)

ZONING-25-000041 – Hennig: The Zoning Hearing Officer recommended to deny the following zoning relief:

Variation to reduce the interior side setback for a chicken coop from required 25 feet to approximately 3 feet. (Downers Grove/District 3) (Located at the north bend of 87th Street and Tennessee Avenue)

ZHO Recommendation to Deny

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



## Development Ordinance

421 N. COUNTY FARM  
ROAD  
WHEATON, IL 60187  
[www.dupagecounty.gov](http://www.dupagecounty.gov)

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**File #:** 25-2055

**Agenda Date:** 9/2/2025

**Agenda #:** 5.A.

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# DU PAGE COUNTY

## Development Committee

### Final Summary

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

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**Tuesday, August 19, 2025**

**10:30 AM**

**Room 3500B**

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**1. CALL TO ORDER**

10:30 AM meeting was called to order by Chair Sam Tornatore at 10:36 AM.

**2. ROLL CALL**

<b>PRESENT</b>	Covert, Ozog, Rutledge, Tornatore, and Yoo
<b>ABSENT</b>	Krajewski

**3. CHAIRMAN'S REMARKS- CHAIR TORNATORE**

No remarks were offered.

**4. PUBLIC COMMENT**

Brian Armstrong, attorney for applicant in the Hanna's Wheaton LLC zoning case spoke on behalf of his client. The petition is for a new video gaming cafe located in a B-1 district. The Zoning Board of Appeals had no issue with the conditional use, but recommended to deny the variation due to the location be less than 1,000 feet from a place of assembly. He informed the Committee that the Church is a small congregation, with no school and the property has been vacant for five years. He asked for the Committee to recommend to approve the petition.

Caitlyn Culbertson, attorney for Northwestern Marianjoy spoke on behalf of her client. The variation is for new signage for the hospital. She was pleased to have the recommendation by the Zoning Hearing Officer and was available for any questions.

**5. MINUTES APPROVAL**

**5.A. [25-1694](#)**

Development Committee - Regular Meeting - July 1, 2025

**Attachments:**     [Dev Comm Final Summary 7-1-25.pdf](#)

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Sheila Rutledge
<b>SECONDER:</b>	Mary Ozog

**6. REGULATORY SERVICES**

**6.A. [DC-R-0004-25](#)**

ZSE-25-000003 MERIT SWAT Exercise: To approve the special event action item: DuPage Metropolitan Emergency Response and Investigation Team (MERIT) SWAT exercise at County-owned Clean and Lien property located at 22W146 HILLCREST

TERRACE, MEDINAH, IL 60157. Generally, for not more than two (2) days between 8/27/25 and 9/26/25. (Bloomington/District 1) (Generally located northeast of Acacia Lane and Hillcrest Terrace, on the north side of Hillcrest Terrace)

ZHO Recommendation to Approve

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

Paul Hoss, Planning & Zoning Administration Coordinator informed the Committee that all neighbors within 300 feet have been notified and there has been no objections. A DuPage Merit group representative from the City of Darien was present to answer any questions about operations.

**Attachments:**     [2. EXHIBIT A 22W146 HILLCREST TERRACE MEDINAH IL 60157, \(PIN 0211412011\) Hold Harmless Agreement-SWAT Consortium.pdf](#)  
[3. Exhibit B Metro SWAT training request\\_Redacted.pdf](#)

<b>RESULT:</b>	APPROVED AT COMMITTEE
<b>MOVER:</b>	Mary Ozog
<b>SECONDER:</b>	Yeena Yoo
<b>AYES:</b>	Covert, Ozog, Rutledge, Tornatore, and Yoo
<b>ABSENT:</b>	Krajewski

6.B.     [DC-O-0029-25](#)

ZONING-25-000023 – ORDINANCE – Sleiman: To approve the following zoning relief:

1. Variation to reduce the interior side setback for a chicken coop from required 25 feet to approximately 3 feet for an existing chicken coop.
2. Variation to reduce the rear setback for a chicken coop from required 25 feet to approximately 3 feet for an existing chicken coop. (Lisle/District 5)

ZHO Recommendation to Deny

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

**Attachments:**     [Z-25-000023 Sleiman Cty. Bd. \(08-26-2025\)\\_Redacted.pdf](#)

<b>RESULT:</b>	RECOMMENDED TO DENY (DEVELOPMENT ONLY)
<b>MOVER:</b>	Sheila Rutledge
<b>SECONDER:</b>	Yeena Yoo
<b>NAY:</b>	Covert, Ozog, Rutledge, Tornatore, and Yoo
<b>ABSENT:</b>	Krajewski

6.C.     [DC-O-0030-25](#)

ZONING-25-000034 – ORDINANCE – Northwestern Marianjoy Rehabilitation Hospital: To approve the following zoning relief:

1. Variation to increase the height of a proposed monument sign from permitted 6 feet to

approximately 13 feet 11 inches.

2. Variation to allow two signs on the subject property (a one-sided masonry monument sign and a two-sided monument sign).

3. Variation to increase the total permitted copy area for two monument signs from 48 sq. ft. to approximately 50 sq. ft. (Milton/District 6)

ZHO Recommendation to Approve

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

**Attachments:**     [Z-25-000034 NW Marianjoy Rehabilitation Cty. Bd. \(08-26-2025\) Redacted.pdf](#)

<b>RESULT:</b>	APPROVED AT COMMITTEE
<b>MOVER:</b>	Yeena Yoo
<b>SECONDER:</b>	Mary Ozog
<b>AYES:</b>	Covert, Ozog, Rutledge, Tornatore, and Yoo
<b>ABSENT:</b>	Krajewski

6.D.     [DC-O-0031-25](#)

ZONING-25-000035 – Hanna’s – Wheaton, LLC.: The Zoning Board of Appeals recommended to deny the following zoning relief:

1. Conditional Use to allow a video gaming cafe restaurant in a B-1 Local Business Zoning District.

2. Variation to allow a video gaming café restaurant to be located less than 1,000 feet from a place of assembly use. (Milton/District 4) (Located at the southwest corner of Geneva Road and Pleasant Hill Road)

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

Mr. Hoss explained that the Zoning Board of Appeals recommended to deny both parts of the petition. In their findings they found the petitioner proved up the conditional use portion, but if the variation fails, the conditional use would have to fail as well.

Discussion ensued about the 1,000 feet requirement and the possibility of changing operating hours for the business. Mr. Hoss shared with the Committee that the owner of the strip shopping center has offered to put a right in/right out off Geneva Road, which means less traffic from the cafe would go through the residential neighborhood. Chair Tornatore inquired about making conditions on the petition. The petitioner's attorney informed Mr. Hoss that they would like to explore possibly amending their petition with the conditions discussed. Chair Tornatore asked for a motion to table the item and bring it back at the next meeting.

**Attachments:**     [Z-25-000035 Hanna's - Wheaton, LLC. Dev. Com. \(08-19-2025\) Redacted.pdf](#)

<b>RESULT:</b>	TABLED
<b>MOVER:</b>	Yeena Yoo
<b>SECONDER:</b>	Sadia Covert

<b>AYES:</b>	Covert, Ozog, Rutledge, Tornatore, and Yoo
<b>ABSENT:</b>	Krajewski

6.E. [DC-O-0032-25](#)

ZONING-25-000037 – ORDINANCE – Kesik: To approve the following zoning relief: Variation to reduce the interior side setback for a new detached garage from required 9 feet to approximately 1.25 feet (replacing previous detached garage of over 20 years with a new detached garage on existing concrete slab). (Lisle/District 2)

ZHO Recommendation to Approve

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

**Attachments:**     [Z-25-000037 Kesik Cty. Bd. \(08-26-2025\)\\_Redacted.pdf](#)

<b>RESULT:</b>	APPROVED AT COMMITTEE
<b>MOVER:</b>	Sheila Rutledge
<b>SECONDER:</b>	Mary Ozog
<b>AYES:</b>	Covert, Ozog, Rutledge, Tornatore, and Yoo
<b>ABSENT:</b>	Krajewski

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 11:01 AM



## Development Ordinance

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**File #:** DC-O-0031-25

**Agenda Date:** 9/2/2025

**Agenda #:** 6.A.

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**DUPAGE  
COUNTY**

## BUILDING & ZONING DEPARTMENT

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

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

### MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Hearing Officer

DATE: July 10, 2025

RE: **ZONING-25-000035 Hanna's – Wheaton, LLC. (Milton/District 4)**

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**Development Committee: September 2, 2025:**

**Zoning Board of Appeals Meeting: July 10, 2025:** The Zoning Board of Appeals recommended to deny the following zoning relief:

1. Conditional Use to allow a video gaming cafe restaurant in a B-1 Local Business Zoning District.
2. Variation to allow a video gaming café restaurant to be located less than 1,000 feet from a place of assembly use.

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

**FINDINGS OF FACT:**

1. That petitioner testified that the subject zoning relief is for a Conditional Use to allow a video gaming cafe restaurant in a B-1 Local Business Zoning District and a Variation to allow a video gaming café restaurant to be located less than 1,000 feet from a place of assembly use.
2. That petitioner testified that the subject property is located at the southwest corner of Geneva Road and Pleasant Hill Road.
3. That petitioner testified that the proposed location of Hanna's – Wheaton video gaming café restaurant is located within 1,000 feet of the Pleasant Hill Community Church/Church of the Savior, which is approximately 700 feet to the west of the subject property.
4. That petitioner testified that the subject property is a shopping center that has ten (10) units, and that the subject unit is located on the west end of the shopping center and was previously occupied by a dry cleaner.

- a. That petitioner testified that the subject unit has been vacant for approximately five (5) years.
5. That petitioner testified that directly south and east of the subject property are all residential properties/uses and that to the north and west there are commercial properties/uses.
6. That petitioner testified that the proposed operator of Hanna's – Wheaton is an experienced video gaming operator with two (2) locations in Glendale Heights and Melrose Park.
7. That petitioner testified that the proposed video gaming café restaurant would be open from 9:00 AM to 12:00 AM.
8. That petitioner testified that the proposed video gaming café restaurant will only have six (6) video gaming devices.
9. That petitioner testified that they would serve food and liquor (beer/wine).
  - a. That petitioner testified that although they serve liquor, their primary customers at their existing location do not typically order liquor, resulting in low liquor sales.
10. That petitioner testified that the main ingress and egress to the shopping center is Geneva Road, with Pleasant Hill Road to the east and Delano Street on the west also as ingress/egress points.
  - a. That petitioner testified that in order to avoid customers utilizing the neighborhood to the south as a cut through, petitioner testified that they would propose restricting access going south on Delano Street from the shopping center.
11. That petitioner testified that although the proposed video gaming café restaurant would be located within 1,000 feet of a Place of Assembly, the Pleasant Hill Community Church/Church of the Savior is of modest size and only meets on the weekends.
12. That the Zoning Board of Appeals finds that the size of the Place of Assembly (Pleasant Hill Community Church/Church of the Savior) does not constitute a practical difficulty or particular hardship sufficient to justify the granting of the requested Variation.
13. That the Zoning Board of Appeals further finds that, although the petitioner has satisfied the Standards for a Conditional Use, those standards cannot be given effect because the petitioner failed to demonstrate the practical difficulty or particular hardship required to support the Variation, upon which the Conditional Use depends.
14. Furthermore, the Zoning Board of Appeals finds that, because the petitioner did not meet the burden of proof for the required Variation, the requested Conditional Use - to operate a video gaming cafe restaurant in a B-1 Local Business Zoning District – cannot be approved, as it is contingent upon the approval of the requested Variation.

### **STANDARDS FOR VARIATIONS:**

1. That the Zoning Board of Appeals 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 Board of Appeals 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** sufficient evidence that the proposed Variation 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** sufficient evidence that the proposed Variation will not increase the hazard from fire or other dangers to said property.
  - c. Diminish the value of land and buildings throughout the County as petitioner **has not demonstrated** that the proposed Variation 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** sufficient evidence that the proposed Variation 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 not demonstrated** sufficient evidence that the proposed Variation 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** sufficient evidence that the proposed Variation 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** sufficient evidence that the proposed video gaming café restaurant will not impair the public health, safety, comfort, morals, or general welfare.

### **STANDARDS FOR CONDITIONAL USES:**

1. That the Zoning Board of Appeals 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 proposed video gaming café restaurant will be operated in an existing shopping center unit and will not impair an adequate supply of light and air to the adjacent property.
  - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that the proposed video gaming café restaurant will receive all required buildings permits for interior alterations and will not increase the hazard from fire or other dangers to said property.

- c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed video gaming café restaurant will be operated in an existing shopping center unit 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 video gaming café restaurant will only have six (6) gaming devices and 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 video gaming café restaurant will be operated in an existing shopping center unit and 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 video gaming café restaurant will be operated in an existing shopping center unit and 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 video gaming café restaurant will be operated in an existing shopping center unit and will not otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County.

**PETITIONER'S DEVELOPMENT FACT SHEET**

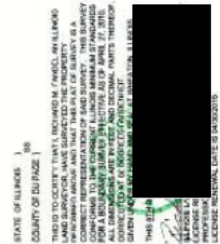
<b>GENERAL ZONING CASE INFORMATION</b>			
<b>CASE #/PETITIONER</b>	<b>ZONING-25-000035 Hanna's – Wheaton, LLC.</b>		
<b>ZONING REQUEST</b>	1. Conditional Use to allow a video gaming cafe restaurant in a B-1 Local Business Zoning District. 2. Variation to allow a video gaming café restaurant to be located less than 1,000 feet from a place of assembly use.		
<b>OWNER</b>	WILLIAM AND DORIS TULLAR, 26W211 GENEVA ROAD, WHEATON, IL 60187 / AGENT: HANNA'S – WHEATON, LLC., 26W233 GENEVA ROAD, WHEATON, IL 60187 / PHILLIP A. LUETKEHANS, LUETKEHANS, BRADY, GARNER & ARMSTRONG, 2700 INTERNATIONAL DRIVE, SUITE 305, WEST CHICAGO, IL 60185		
<b>ADDRESS/LOCATION</b>	26W211 GENEVA ROAD, WHEATON, IL 60187 (UNIT 26W233 GENEVA ROAD, WHEATON, IL 60187)		
<b>PIN</b>	05-06-407-001/05-06-407-002		
<b>TWSP./CTY. BD. DIST.</b>	MILTON	DISTRICT 4	
<b>ZONING/LUP</b>	B-1 LOCAL COMMERCIAL	LOCAL BUSINESS	
<b>AREA</b>	0.92 ACRES (40,075 SQ. FT.)		
<b>UTILITIES</b>	WATER/SEWER		
<b>PUBLICATION DATE</b>	Daily Herald: JUNE 9, 2025		
<b>PUBLIC HEARING</b>	TUESDAY, JUNE 24, 2025		
<b>ADDITIONAL INFORMATION:</b>			
Building:	No Objections.		
DUDOT:	No Objections.		
Health:	No Objection with the concept of the petition. Additional information may be required at time of permit application.		
Stormwater:	Our office has no jurisdiction in this matter.		
Public Works:	"DPC Public Works doesn't own any sewer or water mains in this area."		
<b>EXTERNAL:</b>			
Village of Winfield:	<i>No Comments Received.</i>		
Village of Carol Stream:	"Carol Stream has no comments on this petition."		
City of Wheaton:	Objects. (See attached documentation)		
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.		
Winfield Fire Dist.:	<i>No Comments Received.</i>		
Sch. Dist. 200:	<i>No Comments Received.</i>		
Forest Preserve:	"We do not have any comments."		
<b>LAND USE:</b>			
<b>Location</b>	<b>Zoning</b>	<b>Existing Use</b>	<b>LUP</b>
Subject	B-1 LOCAL BUSINESS	SHOPPING CENTER	LOCAL COMMERCIAL

North	GENEVA ROAD AND BEYOND VILLAGE OF WINFIELD	COMMERCIAL	VILLAGE OF WINFIELD
South	R-4 SF RES	HOUSE	0-5 DU AC
East	B-1 LOCAL BUSINESS	SHOPPING CENTER	LOCAL COMMERCIAL
West	DELANO STREET AND BEYOND VILLAGE OF WINFIELD	COMMERCIAL	VILLAGE OF WINFIELD

OF LOTS 1, 2, 11, AND 12 IN BLOCK 1 IN ARTHUR T. MCINTOSH & COMPANY'S FIELDVIEW, BEING A SUBDIVISION OF PARTS OF SECTIONS 8 AND 7, TOWNSHIP 36 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 28, 1956 AS DOCUMENT 825055 AND CERTIFICATE OF CORRECTION RECORDED JANUARY 10, 1957 AS DOCUMENT 825298 AND AMENDED BY DOCUMENT 872-15205 RECORDED MARCH 28, 1972 IN DUFAINE COUNTY, KANSAS.

PINS: 05-06-407-001, 05-06-407-002, 05-06-407-003, & 05-06-407-004

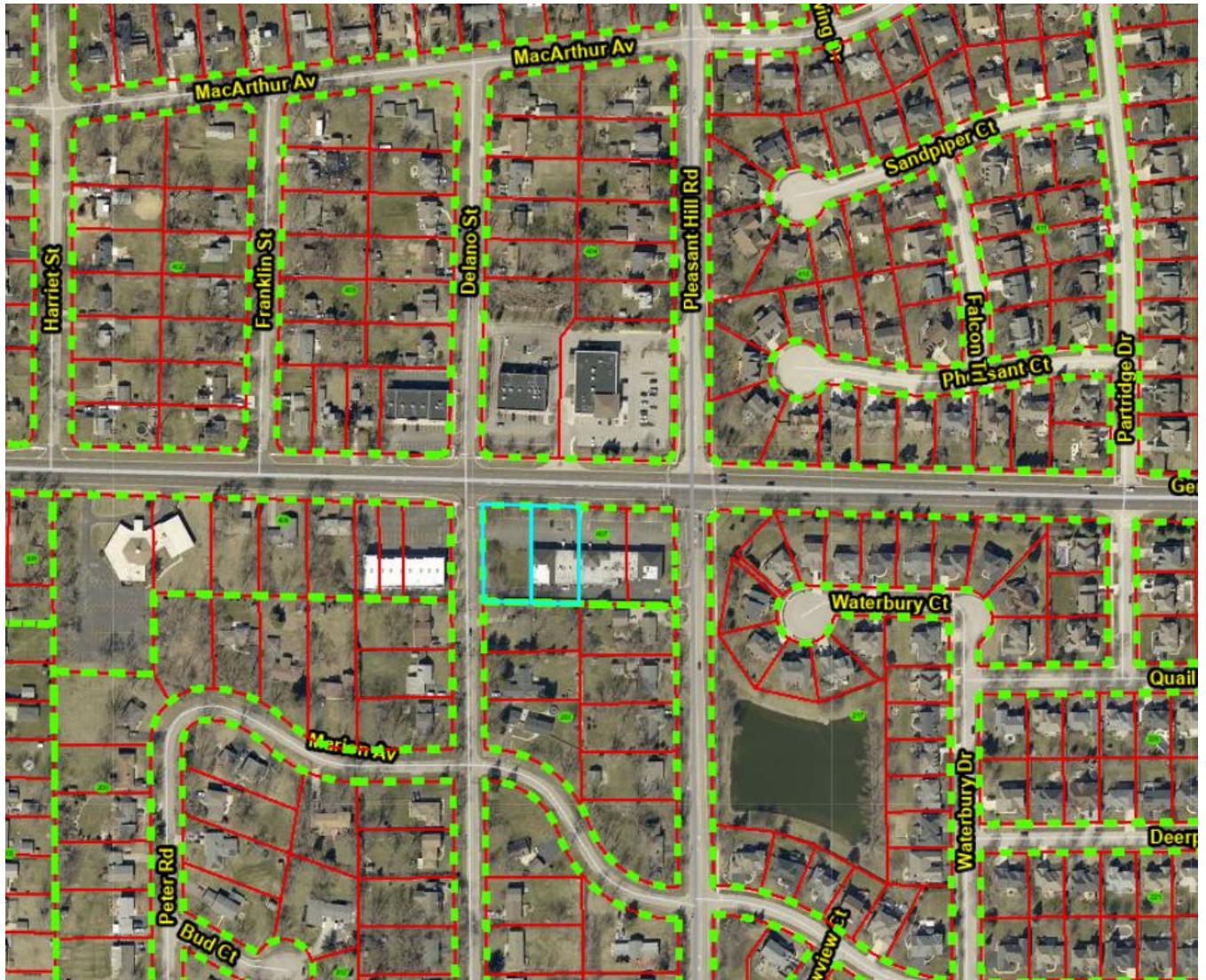
COMMONLY KNOWN AS: 26N211 - 26N233 GENEVA ROAD, WHEATON, IL 60187



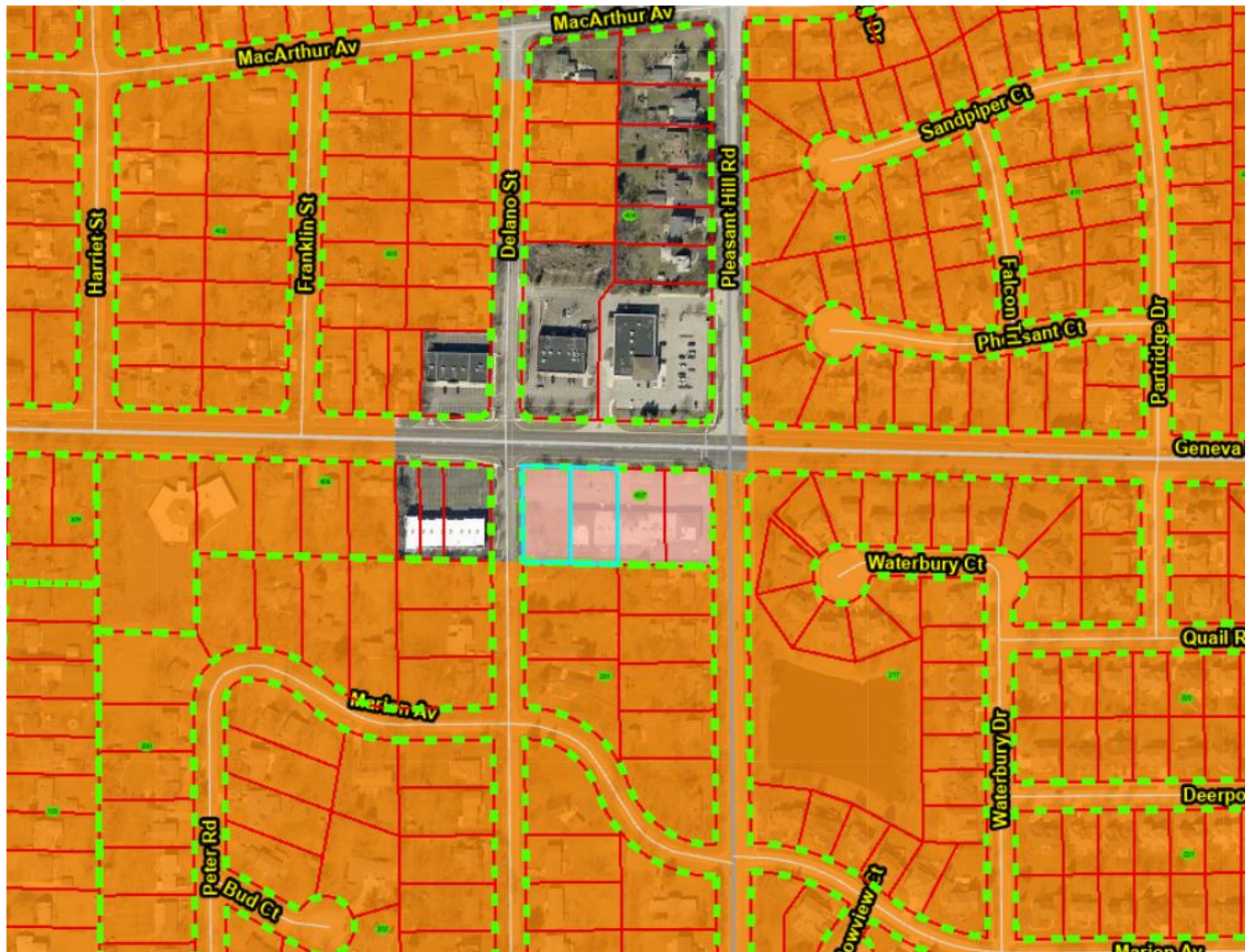
COMPARE LEGAL DESCRIPTION WITH DEED AND REPORT ANY DISCREPANCY IMMEDIATELY. A TITLE COMMITMENT WAS NOT FURNISHED FOR USE IN PREPARATION OF THE SURVEY. IF A TITLE COMMITMENT WAS NOT FURNISHED, THERE MAY BE UNRECORDED EASEMENTS, ENCUMBRANCES, OR OTHER INTERESTS IN THE LAND. THERE MAY NOT BE ACHIEVING SURVEY. THE SURVEYOR'S NAME AND ADDRESS ARE PRINTED AT THE BOTTOM OF THE SURVEY. LOCAL AUTHORITIES MUST BE CONSULTED REGARDING ANY RESTRICTIONS. DO NOT SCALE DIMENSIONS FROM THIS PLAT. NO EXTENSIONS SHOULD BE MADE FROM THE INFORMATION SHOWN WITHOUT PERMISSION OF FANGER'S LAND INFORMATION GROUP. THIS SURVEY IS NOT A FINAL SURVEY. ANY PROPERTY WITH AN UNRECORDED DEED, OR OFFICIAL COPIES AND ACHIEVING SURVEY, MUST BE SUBMITTED TO THE SURVEYOR. ANY MAIL AND VOICE IF SURVEYORS EMBOSSED SEAL IS NOT AFFIRMED HEREON.

15













**Sent:** Tuesday, June 17, 2025 8:38 AM  
**To:** Infelise, Jessica; DuPage County Chair; Eckhoff, Grant; Ozog, Mary; LaPlante, Lynn; Stran, Jim; Polewski, Genevieve; Winklebleck, David; Heffter, Clayton; Furey, David; Michael DeSmedt; 'Kevin Stough'; Jennifer Meyer; 'admin@winfielddpd.org'; jeff.schuler@cusd200.org; Gary Muehlfelt; Milton Clerk; Milton Supervisor; cbarrett; Peter Krumins (Winfield Com. Dev.); Bill Holmer; Don Bastian (C.S. Com. Dev.); Julia Schwarze; Mayor Frank Saverino; Andrea Rosedale; Phil Suess; Mike Dzigan  
**Cc:** Hoss, Paul; Schwalm, Eileen  
**Subject:** Re: DuPage County Zoning Notification - ZONING-25-000035 Hanna's - Wheaton, LLC.  
**Attachments:** Z-25-000035 Hanna's - Wheaton, LLC ZBA Legal and Staff (06-24-2025).docx

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

Ms. Infelise,

On June 16, 2025, the Wheaton City Council reviewed DuPage County Zoning Notification - ZONING-25-000035 Hanna's - Wheaton, LLC. requesting a conditional use and variations pertaining to a video gaming cafe. The Mayor and City Council unanimously directed City staff to inform the County that Wheaton has an objection or concern regarding the petition. They found that the request seeking a variation for the distance from an assembly use represents a 50% reduction from the zoning requirement, and the co-location of two gaming establishments at the same property effectively circumvents the County's zoning requirements altogether. They further found that the requests are excessive, and the petition will be injurious to the neighborhood, negatively impact public welfare, or otherwise affect the public health, safety, comfort, or morals of the residents of DuPage County.

Please do not hesitate to contact me with any questions you may have.

**James Kozik, AICP**

Director of Planning and Economic Development  
City of Wheaton

[www.wheaton.il.us](http://www.wheaton.il.us)

[630.260.2008](tel:630.260.2008) desk

[630.688.2000](tel:630.688.2000) cell



## Development Ordinance

421 N. COUNTY FARM  
ROAD  
WHEATON, IL 60187  
[www.dupagecounty.gov](http://www.dupagecounty.gov)

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**File #:** DC-O-0033-25

**Agenda Date:** 9/2/2025

**Agenda #:** 6.B.

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**DUPAGE  
COUNTY**

## BUILDING & ZONING DEPARTMENT

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

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

### MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Board of Appeals

DATE: August 14, 2025

RE: **ZONING-25-000030 Kosela (Lisle/District 2)**

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**Development Committee: September 2, 2025:**

**Zoning Board of Appeals Meeting: August 14, 2025:** The Zoning Board of Appeals recommended to deny the following zoning relief:

Variation to reduce the required lot size for two (2) new lots served with well and septic, from required 40,000 sq. ft./each to approximately 16,142 sq. ft. for proposed Lot 1 and approximately 16,112 sq. ft. for proposed Lot 2.

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

**FINDINGS OF FACT:**

- A. That petitioner testified that the subject zoning relief is for a Variation to reduce the required lot size for two (2) new lots served with well and septic, from required 40,000 sq. ft./each to approximately 16,142 sq. ft. for proposed Lot 1 and approximately 16,112 sq. ft. for proposed Lot 2.
- B. That petitioner testified that there is an existing single-family home with a few outbuildings on the subject property, which will stay on the eastern half of the property if it is subdivided.
- C. That petitioner testified that the new lot, which would border the northeast corner of Essex and Kohley Road, will subsequently be built with a 1,500 sq. ft. single-family, ranch-style residence.
  - a. That petitioner testified that the new lot would be connected to municipal water and have a new septic system installed in accordance with all County standards.
  - b. That petitioner testified that they intend to build the new house for their family to live in

- D. That petitioner testified that the trend of development surrounding the subject area is for smaller lots, specifically a few blocks to the east and south.
- E. That petitioner testified that the practical difficulty and particular hardship that applies to the Variation request is that the subject property is a larger lot in an older subdivision, which is too large and cumbersome for one (1) single-family home to upkeep the lot.
- F. That petitioner testified that the proposed lot division has been designed to maintain existing drainage patterns to the greatest extent possible, by redirecting storm water to approved drainage outlets or with on-site stormwater management systems.
- G. That the Zoning Board of Appeals finds that petitioner has not demonstrated evidence for a practical difficulty or particular hardship in relation to the requested zoning relief for a Variation to reduce the required lot size for two (2) new lots served with well and septic, from required 40,000 sq. ft./each to approximately 16,142 sq. ft. for proposed Lot 1 and approximately 16,112 sq. ft. for proposed Lot 2.
  - a. Furthermore, the Zoning Board of Appeals finds that petitioner's testimony regarding trend of development to support the subject Variation is one of the requirements to prove up a rezoning not a Variation.

**STANDARDS FOR VARIATIONS:**

1. That the Zoning Board of Appeals 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 Board of Appeals 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 that dividing the property into two (2) lots will not impair an adequate supply of light and air to the adjacent property.
  - b. Increase the hazard from fire or other dangers to said property as petitioner has not demonstrated that dividing the property into two (2) lots 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 that dividing the property into two (2) lots 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 that dividing the property into two (2) lots 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 not demonstrated that dividing the property into two (2) lots 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 that dividing the property into two (2) lots 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 that the proposed property subdivision will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County.

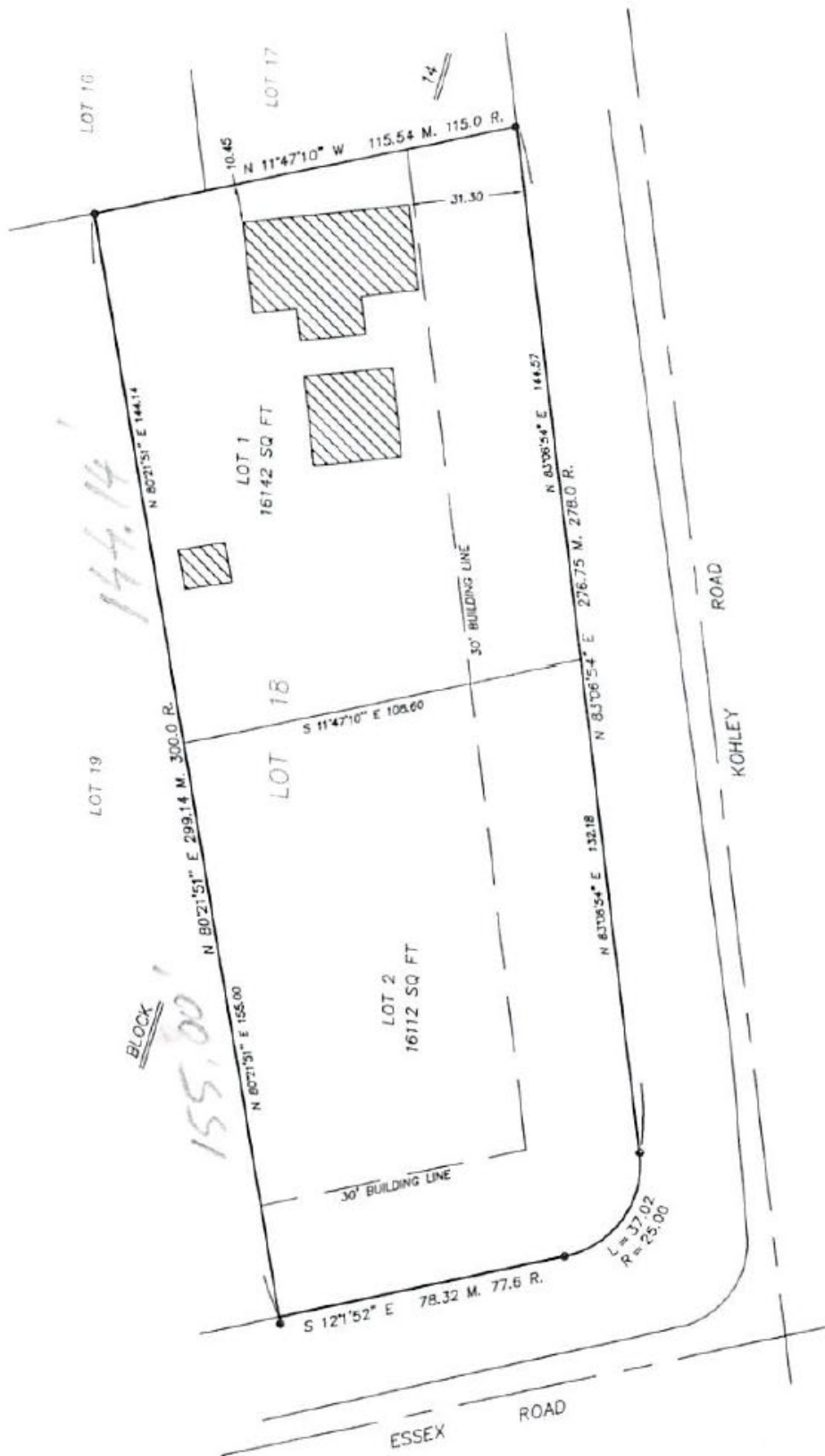
**PETITIONER'S DEVELOPMENT FACT SHEET**

<b>GENERAL ZONING CASE INFORMATION</b>		
<b>CASE #/PETITIONER</b>	<b>ZONING-25-000030 Kosela</b>	
<b>ZONING REQUEST</b>	Variation to reduce the required lot size for two (2) new lots served with well and septic, from required 40,000 sq. ft./each to approximately 16,142 sq. ft. for proposed Lot 1 and approximately 16,112 sq. ft. for proposed Lot 2.	
<b>OWNER</b>	BARBARA KOSELA, 5517 ESSEX ROAD, LISLE, IL 60532 / BARBARA KOSELA, 5609 WALNUT AVENUE, DOWNERS GROVE, IL 60516 / AGENT: SCOTT RICHMOND, ESQ., ARIANO, HARDY, RITT, NYULI, RICHMOND, LYTLE & BOETTEL, P.C., 2000 MCDONALD ROAD, SUITE 200, SOUTH ELGIN, IL 60177	
<b>ADDRESS/LOCATION</b>	5517 ESSEX ROAD, LISLE, IL 60532	
<b>PIN</b>	08-14-101-006	
<b>TWSP./CTY. BD. DIST.</b>	LISLE	DISTRICT 2
<b>ZONING/LUP</b>	R-4 SF RES	0-5 DU AC
<b>AREA</b>	0.73 ACRES (31,799 SQ. FT.)	
<b>UTILITIES</b>	WELL/SEPTIC	
<b>PUBLICATION DATE</b>	Daily Herald: JULY 2, 2025	
<b>PUBLIC HEARING</b>	THURSDAY, JULY 17, 2025	
<b>ADDITIONAL INFORMATION:</b>		
Building:	No Objection.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	No Objection with the concept of the petition. Additional information may be required at time of permit application. "Communicated with the petitioner's attorney 7/15/25"	
Stormwater:	No Objection with the concept of the petition. Additional information may be required at time of permit application. (See attached documentation).	
Public Works:	"DPC Public Works doesn't own any sewer or water mains in this area."	
<b>EXTERNAL:</b>		
Village of Lisle:	Objects. (See attached documentation)	
Village of Downers Grove:	"The Village of Downers Grove has no comments."	
Village of Woodridge:	<i>No Comments Received.</i>	
Lisle Township:	<i>No Comments Received.</i>	
Township Highway:	<i>No Comments Received.</i>	
Lisle-Woodridge Fire Dist.:	<i>No Comments Received.</i>	
Sch. Dist. 202:	<i>No Comments Received.</i>	
Forest Preserve:	"We do not have any comments."	



**LAND USE:**

<b>Location</b>	<b>Zoning</b>	<b>Existing Use</b>	<b>LUP</b>
Subject	R-4 SF RES	HOUSE	0-5 DU AC
North	R-4 SF RES	HOUSE	0-5 DU AC
South	KOHLEY ROAD AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
East	R-4 SF RES	HOUSE	0-5 DU AC
West	ESSEX ROAD AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC













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

**DU PAGE COUNTY ZONING BOARD OF APPEALS**  
**Zoning Petition ZONING-25-000030 Kosela**

Jessica Infelise Datzman, DuPage County Building and Zoning Department, 421 North County Farm Road, Wheaton, Illinois 60187; or via email at [Jessica.Infelise@dupagecounty.gov](mailto:Jessica.Infelise@dupagecounty.gov) or via facsimile at 630-407-6702 by **July 16, 2025**.

<b>COMMENT SECTION:</b>	
<b>: OUR OFFICE HAS NO JURISDICTION IN THIS MATTER</b>	
<b>: NO OBJECTION/CONCERNS WITH THE PETITION</b>	
<b>X</b>	<b>: NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION.</b>
<b>ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION</b>	
<b>: I OBJECT/ HAVE CONCERNS WITH THE PETITION.</b>	
<p><b>COMMENTS:</b> The face of the plat should contain language similar to the following:          "This property was subdivided on [date]. At the time of subdivision, the Post Construction Best Management Practice (PCBMP) and stormwater detention thresholds for the original parcel were subsequently subdivided among the newly created parcels. The threshold distribution ratio for each of the new parcels shall be calculated as the area of the new parcel divided by the area of the original parcel. This threshold distribution ratio shall be multiplied by the regulatory thresholds in effect at the time of any new development. If a PCBMP is required pursuant to the DuPage County Countywide Stormwater and Floodplain Ordinance, the property owner shall be obligated to implement the required PCBMP directly on the property and shall not have the option to satisfy such requirement through payment of a fee-in-lieu, unless such implementation is deemed impractical or is not in accordance with the ordinance at the time of submittal(s). . Please check with your local permitting authority regarding all stormwater management requirements."</p>	
<b>SIGNATURE:</b>	<b>DATE:</b> 7/9/25
<b>MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT:</b> DPC Stormwater Management	
<b>GENERAL ZONING CASE INFORMATION</b>	

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**DUPAGE  
COUNTY**

## BUILDING & ZONING DEPARTMENT

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

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

### DU PAGE COUNTY ZONING BOARD OF APPEALS

Zoning Petition ZONING-25-000030 Kosela

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

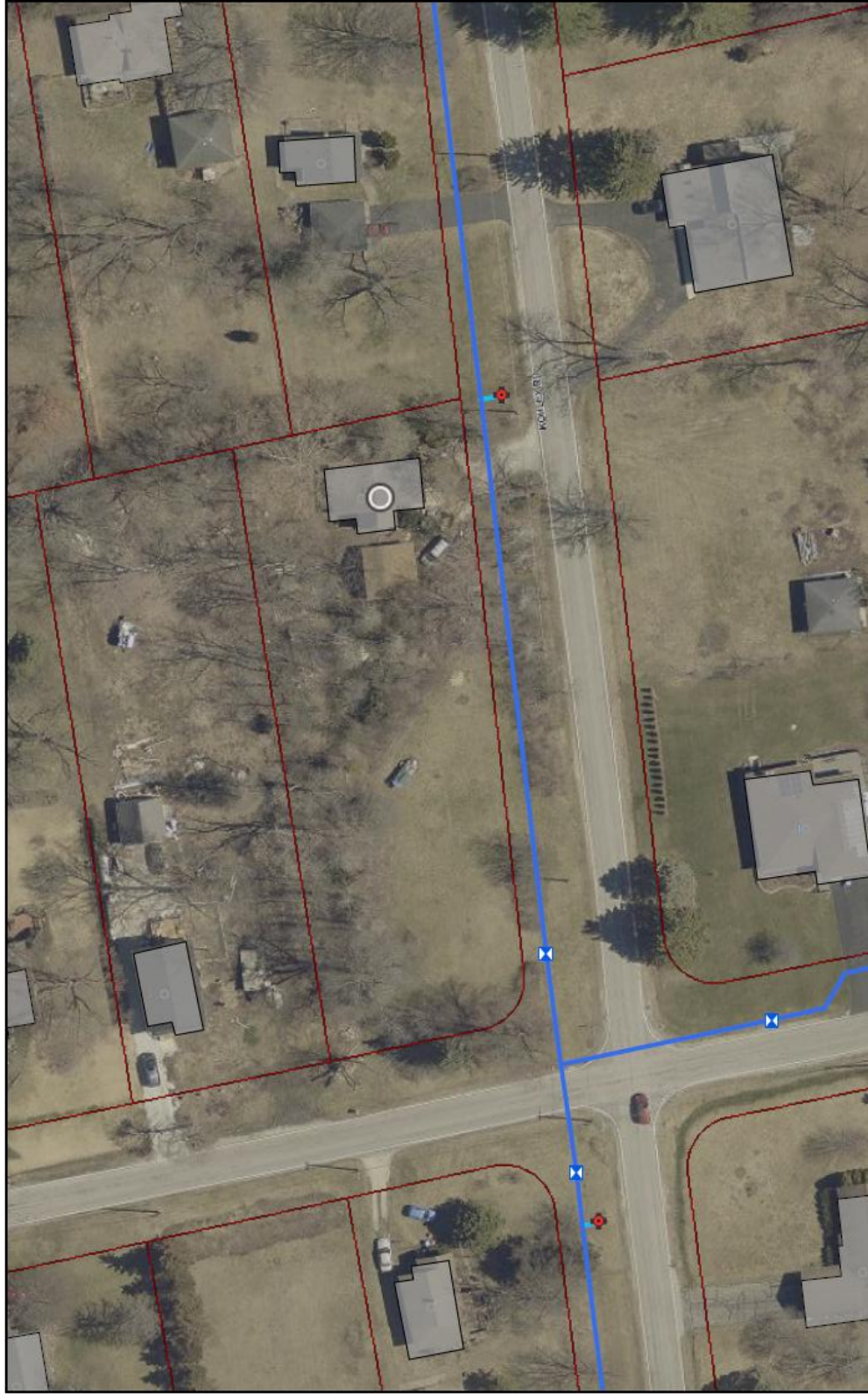
Jessica Infelise Datzman, DuPage County Building and Zoning Department, 421 North County Farm Road, Wheaton, Illinois 60187; or via email at [Jessica.Infelise@dupagecounty.gov](mailto:Jessica.Infelise@dupagecounty.gov) or via facsimile at 630-407-6702 by July 16, 2025.

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: A Village of Lisle water main is readily available for connection along the subject property's frontage. The Village of Lisle objects to servicing the subject property by well and would request that the owner of record execute an pre-annexation agreement and connect to the Village's water system.	
SIGNATURE: [REDACTED]	DATE: 7/3/2025
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT: Village of Lisle	
GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-25-000030 Kosela
ZONING REQUEST	Variation to reduce the required lot size for two (2) new lots served with well and septic, from required 40,000 sq. ft./each to approximately 16,142 sq. ft. for proposed Lot 1 and approximately 16,112 sq. ft. for proposed Lot 2.
OWNER	BARBARA KOSELA, 5517 ESSEX ROAD, LISLE, IL 60532 / BARBARA KOSELA, 5609 WALNUT AVENUE, DOWNERS GROVE, IL 60516 / AGENT: SCOTT RICHMOND, ESQ., ARIANO, HARDY, RITT, NYULI, RICHMOND, LYTLE & BOETTEL, P.C., 2000 MCDONALD ROAD, SUITE 200, SOUTH ELGIN, IL 60177
ADDRESS/LOCATION	5517 ESSEX ROAD, LISLE, IL 60532
PIN	08-14-101-006
TWSP./CTY. BD. DIST.	LISLE DISTRICT 2
ZONING/LUP	R-4 SF RES 0-5 DU AC
AREA	0.73 ACRES (31,799 SQ. FT.)
UTILITIES	WELL/SEPTIC
PUBLICATION DATE	Daily Herald: JULY 2, 2025
PUBLIC HEARING	THURSDAY, JULY 17, 2025

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



# 5517 Essex



7/3/2025, 9:33:55 AM

	Fire Hydrant		Water Main		Parcels		Building Polygons
	Water System Valve		Village of Lisle		Building Points		Outside Village Limits
	Water Service						

1:1,086

0 0.01 0.01 0.02 0.02 mi

0 0.01 0.01 0.02 0.04 km

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



## Development Ordinance

421 N. COUNTY FARM  
ROAD  
WHEATON, IL 60187  
[www.dupagecounty.gov](http://www.dupagecounty.gov)

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**File #:** DC-O-0034-25

**Agenda Date:** 9/2/2025

**Agenda #:** 6.C.

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**DUPAGE  
COUNTY**

## BUILDING & ZONING DEPARTMENT

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

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

### MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Hearing Officer

DATE: August 20, 2025

RE: **ZONING-25-000033 Duebner (Milton/District 4)**

---

**Development Committee: September 2, 2025:**

**DuPage County Zoning Hearing Officer: August 20, 2025 :** The Zoning Hearing Officer recommended to approve the following zoning relief:

1. Variation to increase the height of a fence in the front yard from 4 feet 6 inches to not more than 6 feet.
2. Variation to increase the opacity of a fence in the front yard from 50% open to 100% closed.

**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-25-000033 Duebner** dated July 16, 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 would like to adopt the record of their previous hearing for ZONING-25-000033 Duebner from June 18, 2025, in which petitioner testified the following:

1. That petitioner testified that the subject zoning relief is for a Variation to increase the height of a fence in front yard from 4 feet 6 inches to approximately 6 feet and a Variation to increase the opacity of a fence in the front yard from 50% open to approximately 100% closed.

2. That petitioner testified that their subject house faces Prairie Avenue, and that they technically have no backyard and that they utilize the front yard along Stanley Street as their front yard.
  3. That petitioner testified that they have concerns about the safety, security, and privacy of their property as they have minimal yard space and would like to contain the little remaining front yard space in a 6-foot tall fenced in area.
  4. That petitioner testified that they will not obstruct any line of sight on the corner of Prairie and Stanley Street as there is a large Right-of-Way.
- B. That the Zoning Hearing Officer finds that petitioner has demonstrated evidence for practical difficulty and particular hardship for the subject zoning relief, due to the layout of the subject property with the existing home, as the subject house faces Prairie Avenue, the petitioner technically has no backyard as they utilize the yard along Stanley Street as their front yard.

**STANDARDS FOR VARIATIONS:**

1. That the Zoning Board of Appeals 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 Board of Appeals 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 fence will not impair an adequate supply of light and air to the adjacent property.
  - b. Increase the hazard from fire or other dangers to said property as petitioner has demonstrated that they will obtain a building permit for the proposed fence and that it will not increase the hazard from fire or other dangers to said property.
  - c. Diminish the value of land and buildings throughout the County as petitioner has demonstrated that the proposed fence 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 fence will be constructed outside of the line-of-sight triangle and therefore 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 fence 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 fence will not incur additional public expense for flood protection, rescue, or relief.

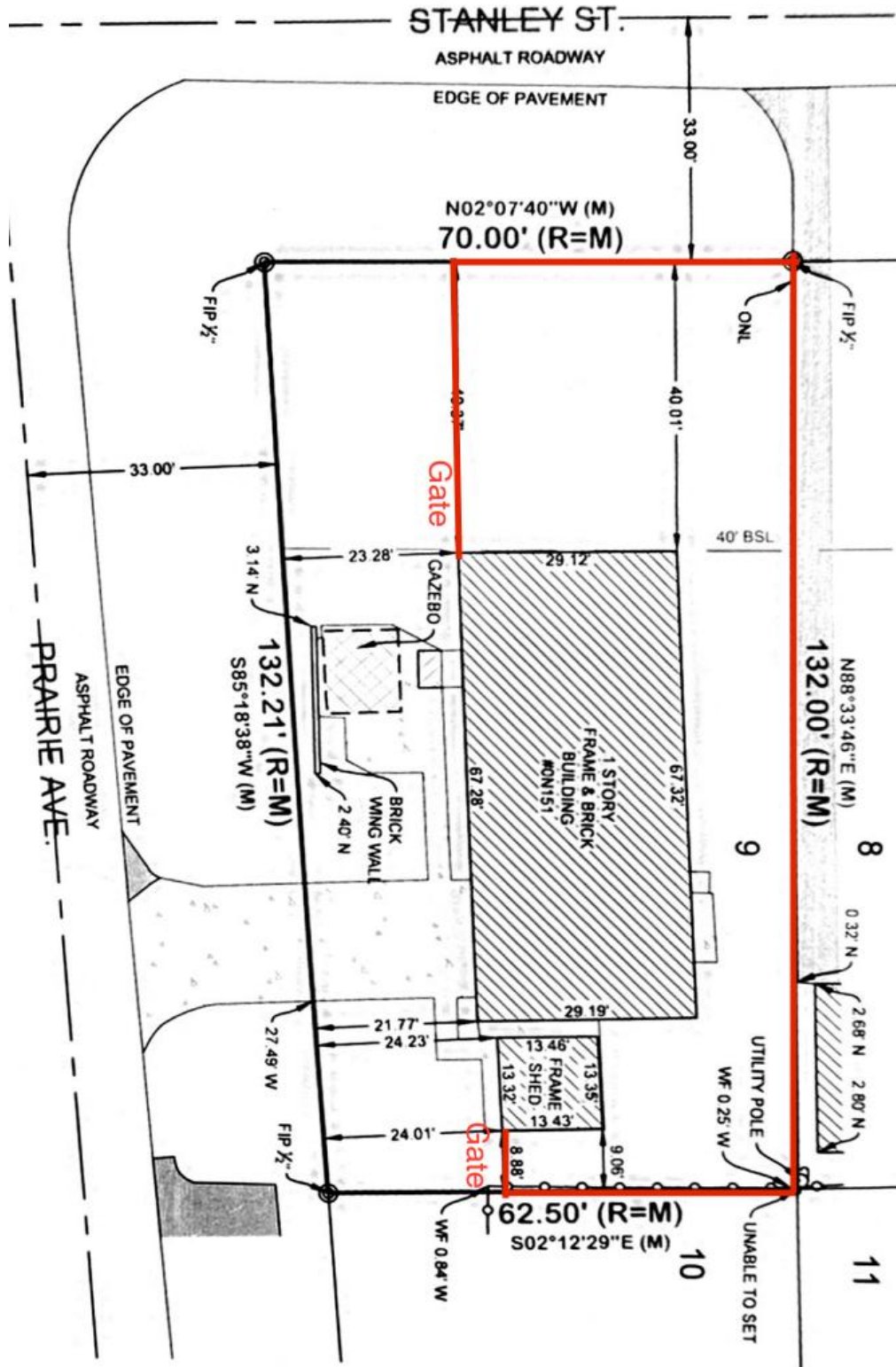
- g. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County as petitioner has demonstrated that the proposed fence will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County.

**PETITIONER'S DEVELOPMENT FACT SHEET**

<b>GENERAL ZONING CASE INFORMATION</b>			
<b>CASE #/PETITIONER</b>	<b>ZONING-25-000033 Duebner</b>		
<b>ZONING REQUEST</b>	1. Variation to increase the height of a fence in the front yard from 4 feet 6 inches to not more than 6 feet. 2. Variation to increase the opacity of a fence in the front yard from 50% open to 100% closed.		
<b>OWNER</b>	THOMAS AND MIA DUEBNER, 0N151 STANLEY STREET, WINFIELD, IL 60190		
<b>ADDRESS/LOCATION</b>	0N151 STANLEY STREET, WINFIELD, IL 60190		
<b>PIN</b>	05-07-410-009		
<b>TWSP./CTY. BD. DIST.</b>	MILTON	DISTRICT 4	
<b>ZONING/LUP</b>	R-4 SF RES	0-5 DU AC	
<b>AREA</b>	0.2 ACRES (8,712 SQ. FT.)		
<b>UTILITIES</b>	WATER/SEWER		
<b>PUBLICATION DATE</b>	Daily Herald: JULY 1, 2025		
<b>PUBLIC HEARING</b>	WEDNESDAY, JULY 16, 2015		
<b>ADDITIONAL INFORMATION:</b>			
Building:	No Objections.		
DUDOT:	Our office has no jurisdiction in this matter.		
Health:	Our office has no jurisdiction in this matter.		
Stormwater:	No Objections.		
Public Works:	"DPC Public Works doesn't own any sewer or water mains in this area."		
<b>EXTERNAL:</b>			
Village of Winfield:	<i>No Comments Received.</i>		
City of Wheaton:	<i>No Comments Received.</i>		
Village of Carol Stream:	<i>No Comments Received.</i>		
Milton Township:	<i>No Comments Received.</i>		
Township Highway:	Objects. "The Township is questioning the line of site w/ a 6' fence"		
Winfield Fire Dist.:	<i>No Comments Received.</i>		
Sch. Dist. 200:	<i>No Comments Received.</i>		
Forest Preserve:	"We do not have any comments."		
<b>GENERAL BULK REQUIREMENTS:</b>			
<b>REQUIREMENTS:</b>	<b>REQUIRED</b>	<b>EXISTING</b>	<b>PROPOSED</b>
Height:	4'6"	N/A	APPROX. 6'

**LAND USE:**

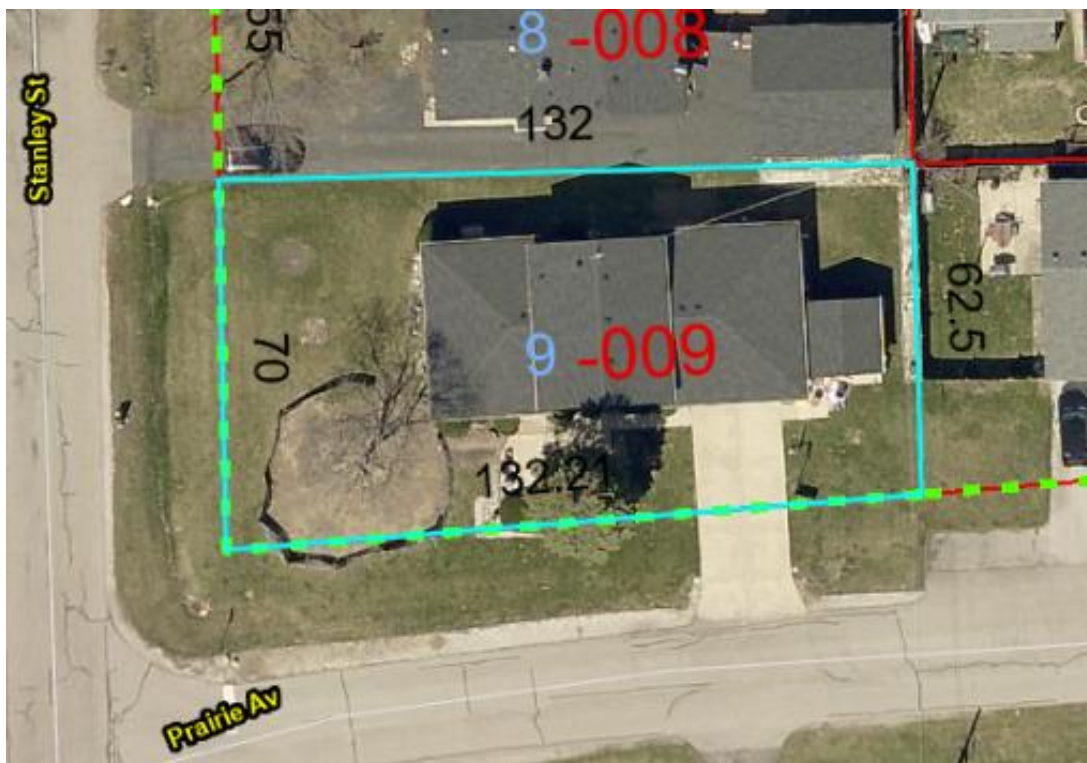
<b>Location</b>	<b>Zoning</b>	<b>Existing Use</b>	<b>LUP</b>
Subject	R-4 SF RES	HOUSE	0-5 DU AC
North	R-4 SF RES	HOUSE	0-5 DU AC
South	PRAIRIE AVENUE AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
East	R-4 SF RES	HOUSE	0-5 DU AC
West	STANLEY STREET AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC











**Sent:** Wednesday, July 16, 2025 3:00 PM  
**To:** Infelise, Jessica  
**Subject:** Concerns for Zoning Petition ZONING-25-000033 Duebner

[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 afternoon. I sincerely apologize for missing today's Zoom meeting at 2:30 PM. I was unexpectedly delayed at work and was unable to join in time. I appreciate your willingness to take our email into consideration.

We are the immediate neighbors of the property in question and wish to express our opposition to the proposed variances. Our primary concern is safety — both for our household and for the broader neighborhood.

Traffic on Stanley Street, particularly through the intersection with Prairie, often moves at higher speeds than is appropriate for a residential area. The proposed 6-foot fence, positioned as close to the road as outlined in the variance, poses a significant visibility hazard. This is further exacerbated by the fact that the fence is requested to be 100% closed, with no openness or transparency. A solid, opaque structure at that location would severely restrict sightlines.

This creates a dangerous situation in multiple ways:

- It impairs our ability to safely back out of our driveway, as we would have a limited view of oncoming northbound traffic.
- It obstructs visibility for drivers stopped at the Prairie Street stop sign heading west bound, making it difficult for them to see southbound traffic on Stanley.

Our concerns are strictly rooted in public and personal safety. As the adjacent property owners, we are especially affected, but the visibility limitations caused by these variances would impact the entire neighborhood.



Thank you for your time and thoughtful consideration of our concerns.

Thank You,

Giovanni Scalora  
Sparrow & Blade

Owner/ Stylist





## Development Ordinance

421 N. COUNTY FARM  
ROAD  
WHEATON, IL 60187  
[www.dupagecounty.gov](http://www.dupagecounty.gov)

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**File #:** DC-O-0035-25

**Agenda Date:** 9/2/2025

**Agenda #:** 6.D.

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**DUPAGE  
COUNTY**

## BUILDING & ZONING DEPARTMENT

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

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

### MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Hearing Officer

DATE: August 20, 2025

RE: **ZONING-25-000038 GIN/SODY Investments, LLC. (Downers Grove/District 3)**

---

**Development Committee: September 2, 2025:**

**DuPage County Zoning Hearing Officer: August 20, 2025:** The Zoning Hearing Officer recommended to approve the following zoning relief:

1. Variation to allow an 8' privacy fence within the 40' front yard setback.
2. Variation to allow an 8' privacy fence within the 30' corner side yard setback.

**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-25-000038 GIN/SODY Investments, LLC.** dated July 16, 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 for a Variation to allow an 8' privacy fence within the 40' front yard setback and a Variation to allow an 8' privacy fence within the 30' corner side yard setback.
- B. That petitioner testified that subject property is a wellness center that has guests/clients visiting their grounds, both indoors and outdoors.

- C. That petitioner testified that they require a taller privacy fence in the front and corner side yard setbacks due to the location of the subject property directly adjacent to Route 83/Kingery Highway and located on a dead-end street.
  - a. That petitioner testified that they frequently have trespassers on the subject property and that in order to protect the safety of their guests, petitioner requires an 8' privacy fence.
- D. That petitioner testified that the proposed privacy fence will also act as a sound barrier to protect exterior noises from Route 83 from impacting their guests/clients.
- E. That the Zoning Hearing Officer finds that petitioner has demonstrated evidence for a practical difficulty and particular hardship as the subject property is located directly adjacent to Route 83/Kingery Highway and a dead end street, and that in order to protect the subject property from trespassers and increased sound from Route 83, petitioner requires an 8' privacy fence in both the front and corner side setbacks.

**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 subject property is located directly adjacent to Route 83 and that the proposed fence will not impair an adequate supply of light and air to the adjacent property.
  - b. Increase the hazard from fire or other dangers to said property as petitioner has demonstrated that they will obtain a building permit for all proposed work and therefore will not increase the hazard from fire or other dangers.
  - c. Diminish the value of land and buildings throughout the County as petitioner has demonstrated that the proposed fence will be an added benefit to the area 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 fence 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 fence 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 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 be an added benefit to the surrounding area and will not impair the public health, safety, comfort, morals, or general welfare.

**PETITIONER'S DEVELOPMENT FACT SHEET**

<b>GENERAL ZONING CASE INFORMATION</b>		
<b>CASE #/PETITIONER</b>	<b>ZONING-25-000038 GIN/SODY Investments, LLC.</b>	
<b>ZONING REQUEST</b>	1. Variation to allow an 8' privacy fence within the 40' front yard setback 2. Variation to allow an 8' privacy fence within the 30' corner side yard setback.	
<b>OWNER</b>	GIN/SODY INVESTMENTS, LLC., 16W501 NIELSON LANE, WILLOWBROOK, IL 60527 / AGENT: CHAD SODERHOLM, 16W501 NIELSON LANE, WILLOWBROOK, IL 60527	
<b>ADDRESS/LOCATION</b>	16W501 NIELSON LANE, WILLOWBROOK, IL 60527	
<b>PIN</b>	10-11-100-022	
<b>TWSP./CTY. BD. DIST.</b>	DOWNERS GROVE	DISTRICT 3
<b>ZONING/LUP</b>	B-1 LOCAL BUSINESS	0-5 DU AC
<b>AREA</b>	2.16 ACRES (94,090 SQ. FT.)	
<b>UTILITIES</b>	WATER/SEWER	
<b>PUBLICATION DATE</b>	Daily Herald: JULY 1, 2025	
<b>PUBLIC HEARING</b>	WEDNESDAY, JULY 16, 2025	
<b>ADDITIONAL INFORMATION:</b>		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	No Objections with the concept of the petition. Additional information may be required at the time of permit application.	
Stormwater:	No Objections with the concept of the petition. Additional information may be required at the time of permit application. "The proposed fence locations cross a deep channel and are adjacent to stormwater detention basins, necessitating specialized engineering to prevent adverse impacts on this and surrounding properties."	
Public Works:	"DPC owns a sewer and water main on the east side of Kingery and a sewer main on the south side of Nielson, based on the drawing they submitted, these lines will not be affected by the proposed fence."	
<b>EXTERNAL:</b>		
Village of Burr Ridge:	<i>No Comments Received.</i>	
City of Darien:	<i>No Comments Received.</i>	
Village of Lemont:	<i>No Comments Received.</i>	

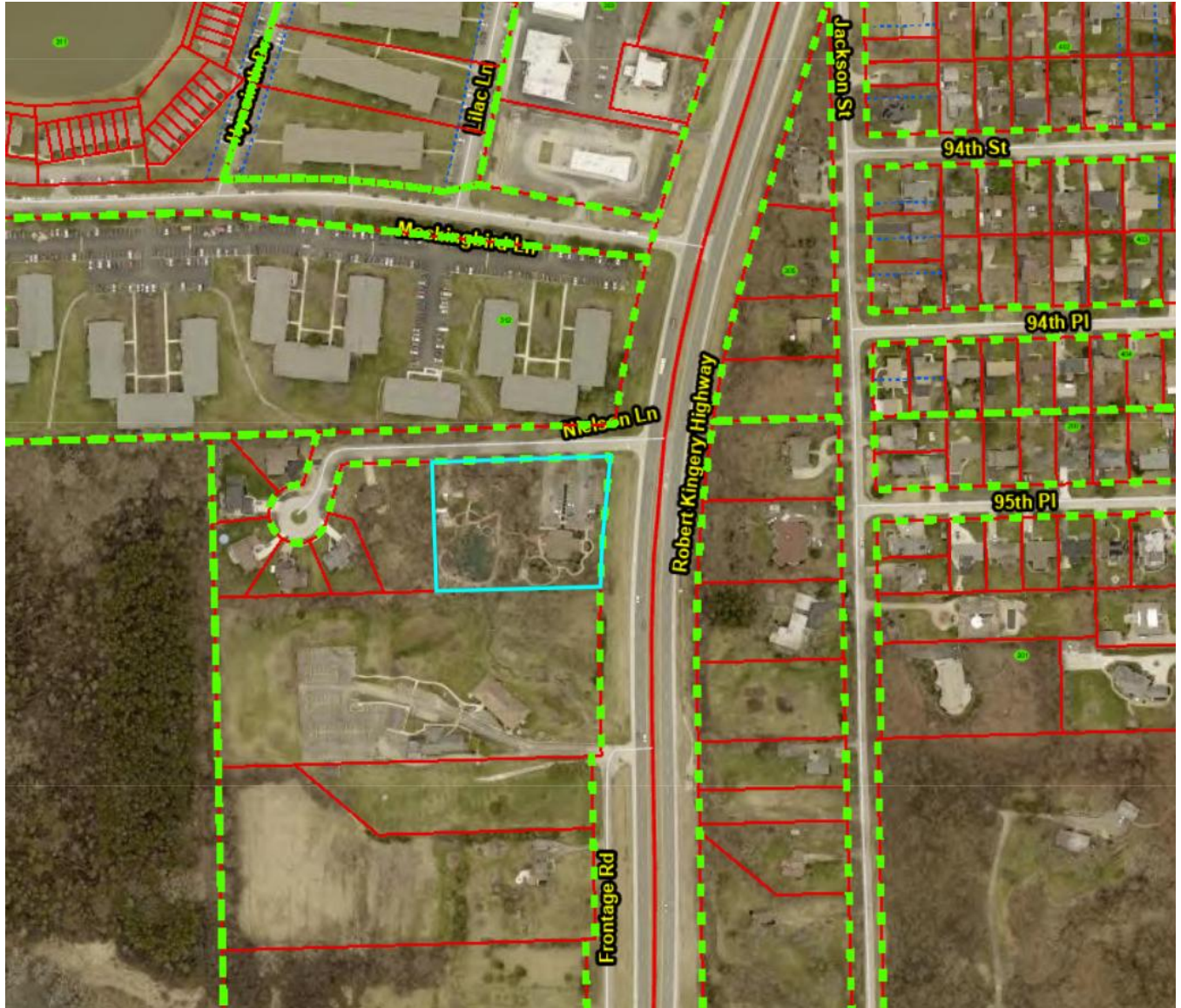


Downers Grove Township:	<i>No Comments Received.</i>
Township Highway:	<i>No Comments Received.</i>
Tri-State Fire Dist.:	No Objections.
Sch. Dist. 180:	“We have No Objection.”
Sch. Dist. 86:	No Objections.
Forest Preserve:	“We do not have any comments.”

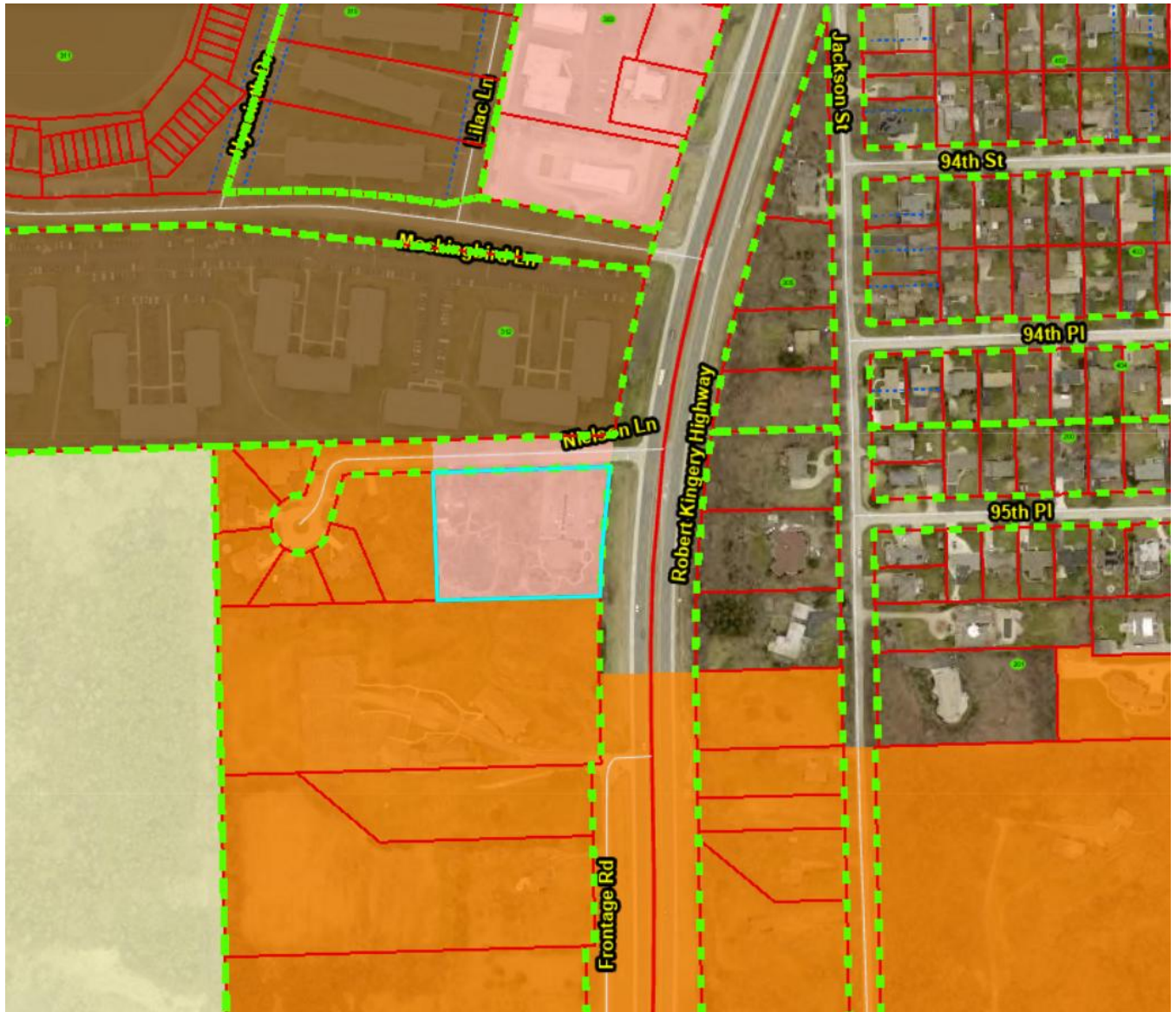
**LAND USE:**

<b>Location</b>	<b>Zoning</b>	<b>Existing Use</b>	<b>LUP</b>
Subject	B-1 LOCAL BUSINESS	COMMERCIAL	0-5 DU AC
North	NIELSON LANE AND BEYOND R-6 MULTI-FAM	MULTI-FAMILY	5-15 du ac
South	R-4 SF RES	PLACE OF ASSEMBLY	0-5 DU AC
East	ROUTE 83 AND BEYOND VILLAGE OF BURR RIDGE	HOUSE	VILLAGE OF BURR RIDGE
West	R-4 SF RES	HOUSE	0-5 DU AC















## Development Ordinance

421 N. COUNTY FARM  
ROAD  
WHEATON, IL 60187  
[www.dupagecounty.gov](http://www.dupagecounty.gov)

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**File #:** DC-O-0036-25

**Agenda Date:** 9/2/2025

**Agenda #:** 6.E.

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**DUPAGE  
COUNTY**

## BUILDING & ZONING DEPARTMENT

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

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

### MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Hearing Officer

DATE: August 20, 2025

RE: **ZONING-25-000039 Porter (Winfield/District 6)**

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**Development Committee: September 2, 2025:**

**DuPage County Zoning Hearing Officer: August 20, 2025:** The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to reduce the interior side setback for a new shed from required 10' to approximately 3'.

**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-25-000039 Porter dated July 16, 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 petitioner maintains the existing landscaping around the perimeter of the subject property.
4. 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 reduce the interior side setback for a new shed from required 10' to approximately 3'.
- B. That petitioner testified that more than half (1/2) of her property is underwater when it rains and that the subject property is essentially a runoff lot at the end of a cul-de-sac.

- C. That petitioner testified that the only location to construct a shed on the subject property is three (3) feet from the interior side property line, in an area where the subject property does not flood.
- D. That the Zoning Hearing Officer finds that petitioner has demonstrated evidence for a practical difficulty and particular hardship with the land, as the subject property is prone to flooding and the only location to construct a shed is approximately three (3) feet from the interior side property line, in an area that does not flood.

**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 shed will be built three (3) feet from the interior side property line and will not impair an adequate supply of light and air to the adjacent property.
  - b. Increase the hazard from fire or other dangers to said property as petitioner has demonstrated that the proposed shed will be built in accordance with all building codes and will not increase the hazard from fire or other dangers.
  - c. Diminish the value of land and buildings throughout the County as petitioner has demonstrated that the proposed shed will be constructed in an area of the subject property that does not flood and therefore 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 shed will be constructed behind the front wall of the house and 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 shed will be constructed in an area of the subject property that does not flood and therefore 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 shed will be constructed in an area of the subject property that does not flood and therefore 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 shed will be an added benefit to the surrounding area and will not impair the public health, safety, comfort, morals, or general welfare.

**PETITIONER'S DEVELOPMENT FACT SHEET**

<b>GENERAL ZONING CASE INFORMATION</b>		
<b>CASE #/PETITIONER</b>	<b>ZONING-25-000039 Porter</b>	
<b>ZONING REQUEST</b>	Variation to reduce the interior side setback for a new shed from required 10' to approximately 3'.	
<b>OWNER</b>	LARRY AND KATHERINE PORTER, 2S315 LOST MEADOWS LANE, WARRENVILLE, IL 60555	
<b>ADDRESS/LOCATION</b>	2S315 LOST MEADOWS LANE, WARRENVILLE, IL 60555	
<b>PIN</b>	04-27-204-007	
<b>TWSP./CTY. BD. DIST.</b>	WINFIELD	DISTRICT 6
<b>ZONING/LUP</b>	R-2 SF RES	0-5 DU AC
<b>AREA</b>	0.74 ACRES (32,234 SQ. FT.)	
<b>UTILITIES</b>	WELL/SEPTIC	
<b>PUBLICATION DATE</b>	Daily Herald: JULY 1, 2025	
<b>PUBLIC HEARING</b>	WEDNESDAY, JULY 16, 2025	

**ADDITIONAL INFORMATION:**

Building:	No Objections.
DUDOT:	Our office has no jurisdiction in this matter.
Health:	No Objection with the concept of the petition. Additional information may be required at time of permit application.
Stormwater:	No Objections.
Public Works:	"DPC Public Works doesn't own any sewer or water mains in this area."
<b>EXTERNAL:</b>	
City of Warrenville:	No Objections.
City of West Chicago:	<i>No Comments Received.</i>
Winfield Township:	Our office has no jurisdiction in this matter.
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:	"We do not have any comments."

**GENERAL BULK REQUIREMENTS:**

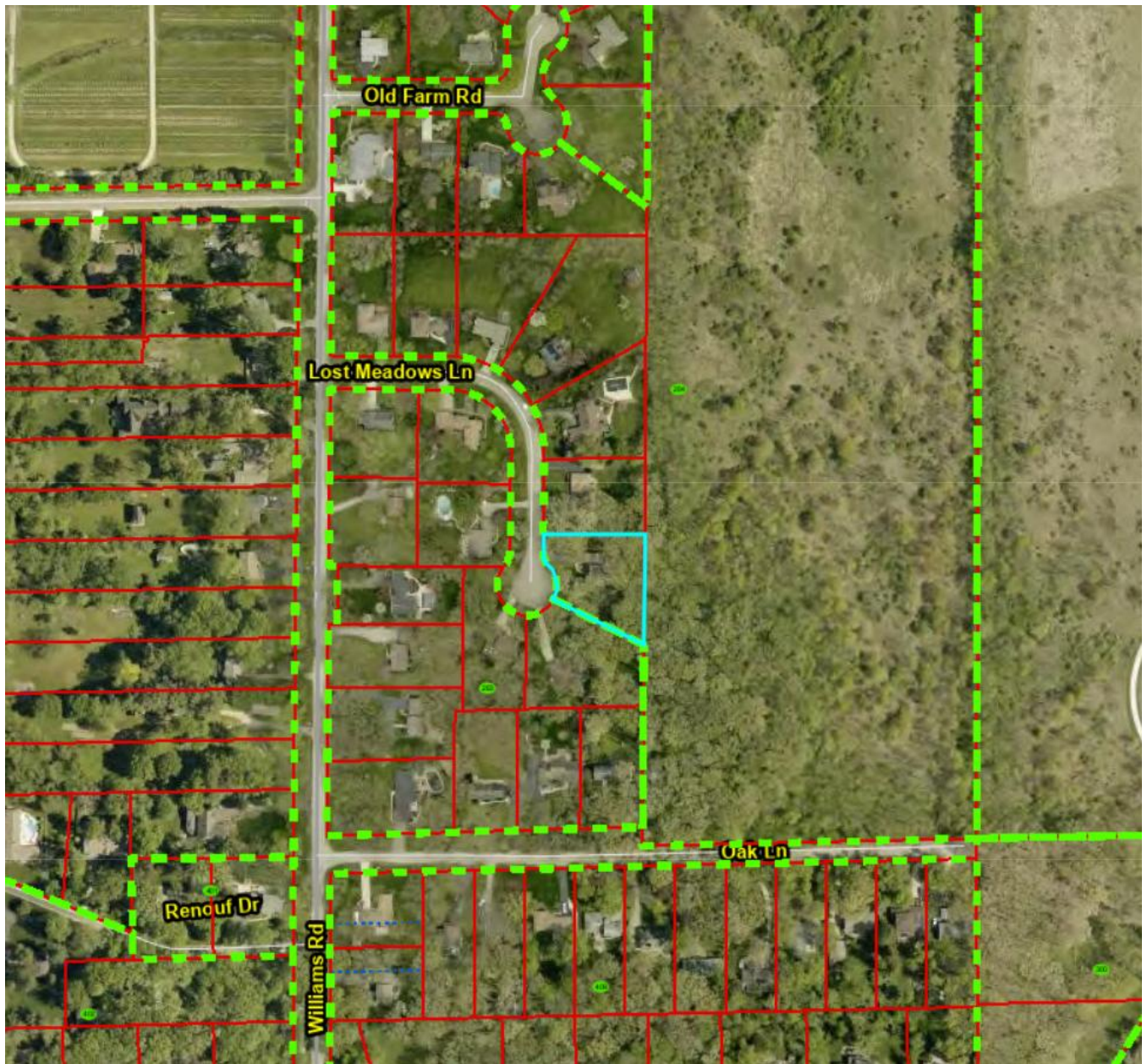
<b>REQUIREMENTS:</b>	<b>REQUIRED</b>	<b>EXISTING</b>	<b>PROPOSED</b>
Int. Side Yard:	10 FT	NA	3 FT

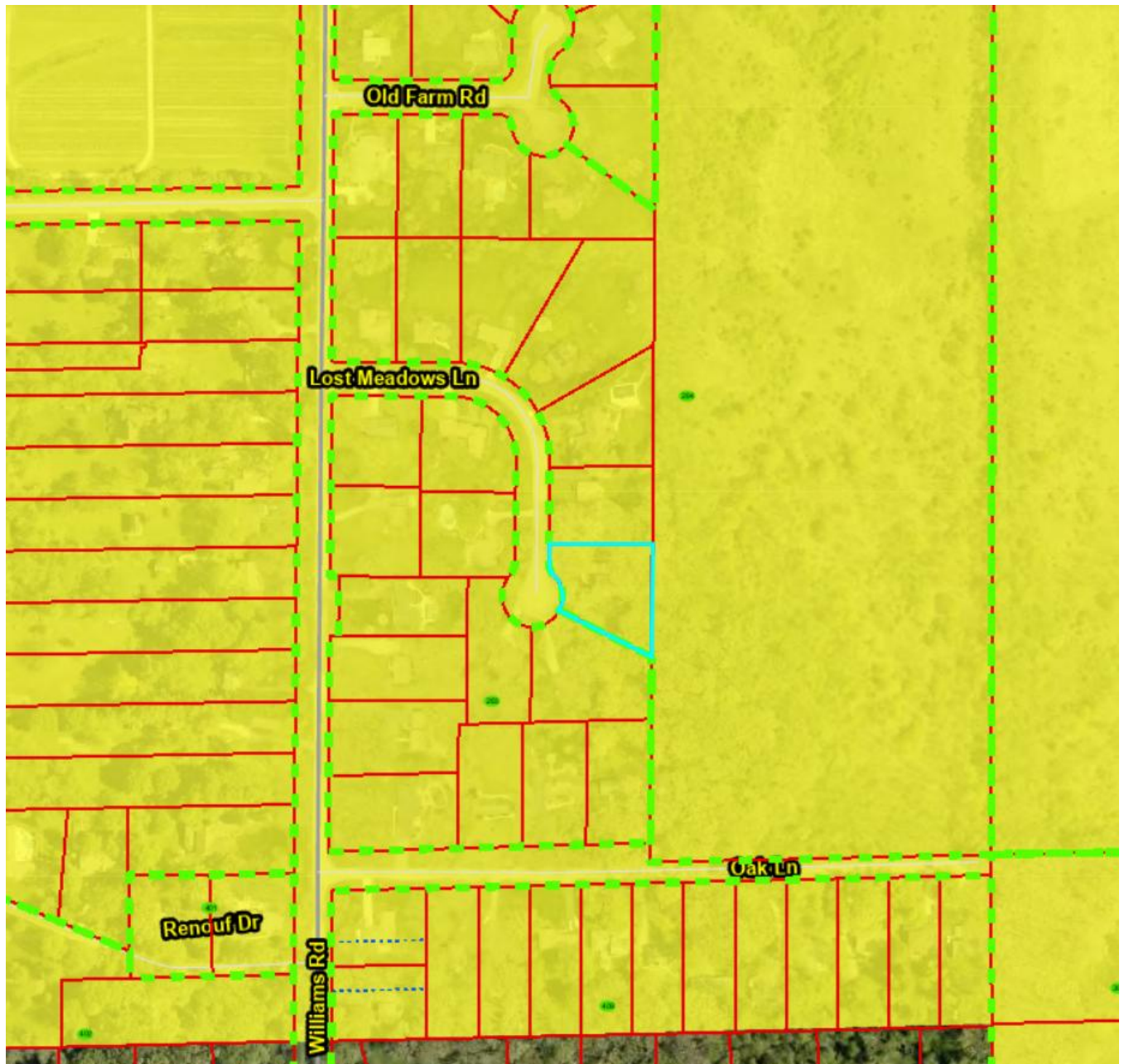
**LAND USE:**

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















## Development Ordinance

421 N. COUNTY FARM  
ROAD  
WHEATON, IL 60187  
[www.dupagecounty.gov](http://www.dupagecounty.gov)

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**File #:** DC-O-0037-25

**Agenda Date:** 9/2/2025

**Agenda #:** 6.F.

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**DUPAGE  
COUNTY**

## BUILDING & ZONING DEPARTMENT

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

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

### MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Hearing Officer

DATE: August 20, 2025

RE: **ZONING-25-000041 Hennig (Downers Grove/District 3)**

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**Development Committee: September 2, 2025:**

**DuPage County Zoning Hearing Officer: August 20, 2025:** The Zoning Hearing Officer recommended to deny the following zoning relief:

Variation to reduce the interior side setback for a chicken coop from required 25 feet to approximately 3 feet.

**ZHO Recommendation to Deny**

**FINDINGS OF FACT:**

- A. That petitioner testified that the subject zoning relief is for a Variation to reduce the interior side setback for a chicken coop from required 25 feet to approximately 3 feet.
- B. That petitioner testified that he has an existing chicken coop on the subject property that is located approximately three (3) feet from the west interior side property line.
- C. That petitioner testified that directly to the west of him is DuPage County Forest Preserve and that leaving his chicken coop three (3) feet from his interior side property line is less of a nuisance for his neighbors to the north and east.
- D. That the Zoning Hearing Officer finds that petitioner has not demonstrated evidence for a practical difficulty or particular hardship with the land in relation to the existing chicken coop and that there was no evidence presented in relation to the seven standards required to approve a Variation.



### **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 that existing chicken coop three (3) feet from the interior side property line does 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 the existing chicken coop three (3) feet from the interior side property line does not increase the hazard from fire or other dangers to said property.
  - c. Diminish the value of land and buildings throughout the County as petitioner has not demonstrated that the existing chicken coop three (3) feet from the interior side property line does 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 that the existing chicken coop three (3) feet from the interior side property line does not unduly increase traffic congestion in the public streets and highways.
  - e. Increase the potential for flood damages to adjacent property as petitioner has not demonstrated that the existing chicken coop three (3) feet from the interior side property line does not increase the potential for flood damages to adjacent property.
  - f. Incur additional public expense for flood protection, rescue or relief as petitioner has not demonstrated that the existing chicken coop three (3) feet from the interior side property line does not incur additional public expense for flood protection, rescue, or relief.
  - g. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County as petitioner has not demonstrated that the existing chicken coop three (3) feet from the interior side property line does not impair the public health, safety, comfort, morals, or general welfare.

**PETITIONER'S DEVELOPMENT FACT SHEET**

<b>GENERAL ZONING CASE INFORMATION</b>			
<b>CASE #/PETITIONER</b>	<b>ZONING-25-000041 Hennig</b>		
<b>ZONING REQUEST</b>	Variation to reduce the interior side setback for a chicken coop from required 25 feet to approximately 3 feet.		
<b>OWNER</b>	EDWARD HENNIG AND CYNTHIA WOLAK, 17W178 87 <sup>TH</sup> STREET, WILLOWBROOK, IL 60527		
<b>ADDRESS/LOCATION</b>	17W178 87 <sup>TH</sup> STREET, WILLOWBROOK, IL 60527		
<b>PIN</b>	09-34-406-014		
<b>TWSP./CTY. BD. DIST.</b>	DOWNERS GROVE	DISTRICT 3	
<b>ZONING/LUP</b>	R-2 SF RES	0-5 DU AC	
<b>AREA</b>	1.07 ACRES (46,609 SQ. FT.)		
<b>UTILITIES</b>	WATER/SEWER		
<b>PUBLICATION DATE</b>	Daily Herald: JULY 1, 2025		
<b>PUBLIC HEARING</b>	WEDNESDAY, JULY 16, 2025		
<b>ADDITIONAL INFORMATION:</b>			
Building:	Objects.		
DUDOT:	Our office has no jurisdiction in this matter.		
Health:	No Objection with the concept of the petition. Additional information may be required at time of permit application.		
Stormwater:	No Objections.		
Public Works:	"DPC Public Works owns sewer and water mains on 87 <sup>th</sup> St, the proposed work should not impact our mains."		
<b>EXTERNAL:</b>			
City of Darien:	<i>No Comments Received.</i>		
Village of Willowbrook:	<i>No Comments Received.</i>		
Village of Burr Ridge:	<i>No Comments Received.</i>		
Downers Grove Township:	<i>No Comments Received.</i>		
Township Highway:	<i>No Comments Received.</i>		
Tri-State Fire Dist.:	No Objections.		
Sch. Dist. 63:	<i>No Comments Received.</i>		
Sch. Dist. 86:	No Objections.		
Forest Preserve:	"Forest Preserve District staff have reviewed the information provided and do not have any comments."		
<b>GENERAL BULK REQUIREMENTS:</b>			
<b>REQUIREMENTS:</b>	<b>REQUIRED</b>	<b>EXISTING</b>	<b>PROPOSED</b>
Int. Side Yard:	25 FT	3 FT	3 FT

**LAND USE:**

<b>Location</b>	<b>Zoning</b>	<b>Existing Use</b>	<b>LUP</b>
Subject	R-2 SF RES	HOUSE	0-5 DU AC
North	R-2 SF RES	HOUSE	0-5 DU AC
South	TENNESSEE AVENUE AND BEYOND R-3 SF RES	HOUSE	0-5 DU AC
East	R-2 SF RES	HOUSE	0-5 DU AC
West	CITY OF DARIEN	FOREST PRESERVE	CITY OF DARIEN

