



**DUPAGE  
COUNTY**

Building  
Division

Zoning &  
Planning Division

Environmental  
Division

## BUILDING & ZONING DEPARTMENT

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[www.dupageco.org/building](http://www.dupageco.org/building)

### MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: September 19, 2023

RE: **ZONING-23-000052 McHale (Lisle/District 5)**

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**DuPage County Board: September 26, 2023:**

**Development Committee: September 19, 2023:** The DuPage County Development Committee recommended to approve the following zoning relief:

Variation to reduce the interior side setback from 3' to approximately 2', for an existing detached garage addition to match existing detached garage structure.

**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-23-000052 McHale** dated August 30, 2023.
2. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
3. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

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

**Zoning Hearing Officer: August 30, 2023:** The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to reduce the interior side setback from 3' to approximately 2', for an existing detached garage addition to match existing detached garage structure.

**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-23-000052 McHale** dated August 30, 2023.
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 the Zoning Hearing Officer finds that petitioner has demonstrated evidence for a Variation to reduce the interior side setback from 3' to approximately 2', for an existing detached garage addition to match existing detached garage structure.
- B. That petitioner testified that they have no attached garage and that they constructed an addition to their original detached garage as they required additional storage space on the subject property.
- C. That petitioner testified that they required the subject zoning relief in order to preserve the architectural integrity and building lines of the original detached garage.
- D. That petitioner testified that the detached garage is only serviced with electric.
- E. That Hearing Officer finds that petitioner has demonstrated evidence for a practical difficulty or particular hardship for a Variation to reduce the interior side setback from 3' to approximately 2', for an existing detached garage addition to match existing detached garage structure, as the original detached garage was built approximately 2 feet from the interior side property line and petitioner was required to match the original building lines of the detached garage for the architectural integrity of the accessory building.

**STANDARDS FOR VARIATIONS:**

*\*Per Zoning Code Section 37-1411.3*

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 existing detached garage addition follows/matches the existing building lines of the original detached garage and 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 detached garage addition does not increase in the hazard from fire or other dangers and that they will receive a building permit for the proposed addition.
- c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the existing detached garage addition does not diminish the value of land and buildings throughout the County and is an added benefit to the neighborhood.
- d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the existing detached garage addition is located behind the front wall of the subject house and in the rear yard and therefore does not impact traffic.
- e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the existing detached garage addition does 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 existing detached garage addition does not incur additional public expense for flood protection, rescue, or relief.
- g. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County as petitioner **has demonstrated** that the existing detached garage addition is an added benefit to the neighborhood, and does 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 Petition ZONING-23-000052 McHale</b>		
<b>ZONING REQUEST</b>	Variation to reduce the interior side setback from 3' to approximately 2', for an existing detached garage addition to match existing detached garage structure.		
<b>OWNER</b>	KAREN MCHALE, 5S473 VEST AVENUE, NAPERVILLE, IL 60563 / AGENT: KEVIN CUNNINGHAM, K.C. MECHANICAL, INC., 5S473 VEST AVENUE, NAPERVILLE, IL 60563		
<b>ADDRESS/LOCATION</b>	5S473 VEST AVENUE, NAPERVILLE, IL 60563		
<b>PIN</b>	08-07-403-004		
<b>TWSP./CTY. BD. DIST.</b>	LISLE	DISTRICT 5	
<b>ZONING/LUP</b>	R-4 SF RES	0-5 DU AC	
<b>AREA</b>	0.25 ACRES (10,890 SQ. FT.)		
<b>UTILITIES</b>	WELL AND SEWER		
<b>PUBLICATION DATE</b>	Daily Herald: AUGUST 15, 2023		
<b>PUBLIC HEARING</b>	WEDNESDAY, AUGUST 30, 2023		
<b>ADDITIONAL INFORMATION:</b>			
Building:	No Objections.		
DUDOT:	Our office has no jurisdiction in this matter.		
Health:	No Objections.		
Stormwater:	No Objections.		
Public Works:	Our office has no jurisdiction in this matter.		
<b>EXTERNAL:</b>			
City of Naperville:	<i>No Comments Received.</i>		
City of Warrenville:	<i>No Comments Received.</i>		
Village of Lisle:	Our office has no jurisdiction in this matter. "The subject property is located outside of the Village's boundary agreement."		
Lisle Township:	<i>No Comments Received.</i>		
Township Highway:	No Objections.		
Naperville Fire Dist.:	<i>No Comments Received.</i>		
Sch. Dist. 203:	<i>No Comments Received.</i>		
Forest Preserve:	"The Forest Preserve District of DuPage County Staff has reviewed the information provided in this notice and due to the sizable distance between the subject property and the District property, we do not have nay specific comments. Thank you."		
<b>GENERAL BULK REQUIREMENTS:</b>			
<b>REQUIREMENTS:</b>	<b>REQUIRED</b>	<b>EXISTING</b>	<b>PROPOSED</b>
Int. Side Yard:	3 FT	APPROX. 2 FT	APPROX. 2 FT

**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	CITY OF NAPERVILLE	COMMERCIAL	CITY OF NAPERVILLE
East	CITY OF NAPERVILLE	COMMERCIAL	CITY OF NAPERVILLE
West	VEST AVENUE AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC













