



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Board of Appeals

DATE: July 30, 2026

RE: **ZONING-26-000032 Axiom Home Investments, LLC.
(Downers Grove/District 3)**

Development Committee: August 18, 2026:

Zoning Board of Appeals Meeting: July 30, 2026: The Zoning Board of Appeals recommended to approve the following zoning relief:

1. Conditional Use for an accessory dwelling unit.
2. Conditional Use to allow an existing detached accessory building to remain less than 10 feet from the interior side setback (approximately 9.22 feet), where the detached accessory building has existed for at least 5 years.

Subject to the following conditions:

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition #**ZONING-26-000032 Axiom Home Investments, LLC.** dated July 17, 2026.
2. That the Conditional Use zoning relief shall expire after five (5) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
 - a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
 - b. The structure is voluntarily removed.

3. That the owner of the property must obtain a building permit for the converted accessory dwelling unit. The application for permit to include the following:
 - a. Floor plans for the construction of the accessory dwelling unit; and
 - b. A reconversion plan showing both the principal dwelling unit and the accessory dwelling unit to a single-family dwelling after the accessory dwelling unit is no longer in operation.
 - i. Reconversion of the property to a single dwelling shall be completed within ninety (90) days after the discontinuation of the accessory dwelling unit.
 - ii. The property shall be reconverted according to the plans submitted at the time the accessory dwelling unit was issued a permit.
4. That no additional detached garage shall be permitted on the subject property for so long as the accessory dwelling unit remains in operation.
5. That the property be developed in accordance with all other codes and Ordinances of DuPage County, including 37-417: Accessory Housing.

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

FINDINGS OF FACT:

1. That petitioner testified that the subject zoning relief is for a Conditional Use an accessory dwelling unit and a Conditional Use to allow an existing detached accessory building to remain less than 10 feet from the interior side setback (approximately 9.22 feet), where the detached accessory building has existed for at least 5 years.
2. That at the public hearing, petitioner withdrew request #3: Variation from Subsection 37-417.2(F) to increase the maximum number of permitted occupants on the property—from five (5) occupants to eight (8) occupants total—allocated as six (6) occupants in the existing principal single-family dwelling unit and two (2) occupants in the accessory dwelling unit.
3. That the record was adopted for the previous public hearing held on April 9, 2026, as ZONING-25-000064 Axiom Home Investments, LLC.
 - a. That petitioner testified that the subject property is located on the east side of Lemont Road, approximately one-half mile north of Bluff Road, and approximately 270 feet south of Davey Road.
 - b. That petitioner testified that the existing detached garage would be converted into an accessory dwelling unit (“ADU”).
 - c. That petitioner testified that the exiting home is a one-story, single-family residence with three (3) bedrooms and is approximately 1,236 sq. ft. in area.
 - i. That petitioner testified that the existing detached garage is approximately 719 sq. ft. in area and is located approximately 9.22 feet from the interior side property line.

- d. That petitioner testified that the surrounding area and properties to the north, south, east, and west, are all located in unincorporated DuPage County and are zoned single-family residential.
 - e. That petitioner testified that the existing detached garage would be converted into an ADU containing a kitchen, bathroom, and bedroom, and that the ADU is intended to accommodate no more than two (2) occupants.
 - f. That petitioner testified that one (1) of the occupants of the subject property would be one of the owners of Axiom Home Investments, LLC.
 - g. That petitioner testified that DuPage County policy supports affordable housing options, and that the proposed zoning relief would further the County's initiatives to increase the availability of affordable housing within the County.
- 4. That petitioner further testified housing and detached garage on the subject property exists and that there will be no expansion of the existing house or detached garage/proposed ADU.
 - 5. That petitioner testified that converting the existing detached garage to an ADU aligns with the County objectives for various housing forms and affordability.
 - 6. That the Zoning Board of Appeals finds that petitioner demonstrated sufficient testimony and evidence to support a Conditional Use an accessory dwelling unit and a Conditional Use to allow an existing detached accessory building to remain less than 10 feet from the interior side setback (approximately 9.22 feet), where the detached accessory building has existed for at least 5 years.
 - a. That the Zoning Board of Appeals finds that the petitioner demonstrated sufficient testimony and evidence that the proposed ADU will be located in an existing detached garage on the subject property and has supplied a Reconversion Plan as Exhibit 7.
 - b. That the Zoning Board of Appeals finds that the petitioner demonstrated sufficient testimony and evidence for the required Standards for Conditional Uses.

STANDARDS FOR CONDITIONAL USES:

- 1. That the Zoning Board of Appeals finds that petitioner has not 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 accessory dwelling unit will be located in an existing detached garage and therefore 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 accessory dwelling unit will be built to the proper Building, Zoning, and Fire codes 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 accessory dwelling unit will be located in an existing detached garage and therefore 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 accessory dwelling unit will not be located in front of the house and therefore will not 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 accessory dwelling unit will be located in an existing detached garage 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 accessory dwelling unit will be located in an existing detached garage 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 accessory dwelling unit will be located in an existing detached garage and will meet all other Accessory Housing Requirements, and therefore will not impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County.

GENERAL ZONING CASE INFORMATION

CASE #/PETITIONER: ZONING-26-000032 Axiom Home Investments, LLC.

ZONING REQUEST:

1. Conditional Use for an accessory dwelling unit.
2. Conditional Use to allow an existing detached accessory building to remain less than 10 feet from the interior side setback (approximately 9.22 feet), where the detached accessory building has existed for at least 5 years.

OWNER: AXIOM HOME INVESTMENTS, LLC., 12S240 LEMONT ROAD, LEMONT, IL 60439 /
AGENT: MICHAEL ROTH, ROTH LEGAL, LLC., 256 E. ADELIA STREET., ELMHURST, IL 60126

ADDRESS/LOCATION: 12S240 LEMONT ROAD, LEMONT, IL 60439

PIN: 10-17-302-002

TWSP./CTY. BD. DIST.: DOWNERS GROVE / DISTRICT 3

ZONING/LUP: R-4 SF RES / 0-5 DWELLING UNITS PER ACRE

AREA: 0.7 ACRES (30,492 SQ. FT.)

UTILITIES: WELL/SEPTIC

PUBLICATION DATE: DAILY HERALD: JULY 1, 2026

PUBLIC HEARING: THURSDAY, JULY 16, 2026

ADDITIONAL INFORMATION:

Building: No objection or concerns with the concept of the petition. Additional information may be required at time of permit application.

- The accessory dwelling unit will be required to meet all building codes; for example a frost proof foundation, Illinois Energy Efficiency Code, Illinois Plumbing Code, etc.

DUDOT: No objection or concerns with the petition.

Health: No objection or concerns with the concept of the petition. Additional information may be required at time of permit application.

- “The property and accessory dwelling are on private well & septic. If approval is granted by the Zoning Board for this petition. The applicant must have the licensed contractors obtain a permit from the health department for repairs/changes to the private water well & the septic system. This has been communicated with the client’s attorney Mr. Roth.”

Stormwater: No objection or concerns 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 this area.”

EXTERNAL:

Village of Woodridge: *No Comments Received.*

Village of Lemont: *No Comments Received.*

City of Darien: *No Comments Received.*

Downers Grove Township: *No Comments Received.*

Township Highway: *No Comments Received.*

Lemont Fire Dist.: *No Comments Received.*

Sch. Dist. 113: *No Comments Received.*

Sch. Dist. 210: *No Comments Received.*

Forest Preserve: “Forest Preserve District of DuPage County staff have reviewed the information provided and don’t have any comments regarding this Public Notice.”

GENERAL BULK REQUIREMENTS

- **Interior Side Yard**
 - Required: 10 FT
 - Existing: APPROX. 9.22 FT
 - Proposed: APPROX. 9.22 FT

LAND USE

Subject Property:

- **Zoning:** R-4 SF RES / **Existing Use:** HOUSE / **Land Use Plan (LUP):** 0-5 DU AC

North of Subject Property:

- **Zoning:** R-4 SF RES / **Existing Use:** HOUSE / **Land Use Plan (LUP):** 0-5 DU AC

South of Subject Property:

- **Zoning:** R-4 SF RES / **Existing Use:** HOUSE / **Land Use Plan (LUP):** 0-5 DU AC

East of Subject Property:

- **Zoning:** R-4 SF RES / **Existing Use:** HOUSE / **Land Use Plan (LUP):** 0-5 DU AC

West of Subject Property:

- **Zoning:** LEMONT ROAD AND BEYOND R-4 SF RES / **Existing Use:** HOUSE / **Land Use Plan (LUP):** 0-5 DU AC