



**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 Board

FROM: DuPage County Development Committee

DATE: January 21, 2025

RE: **ZONING-24-000069 Kosela (Lisle/District 2)**

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**DuPage County Board: January 28, 2025:** *(If the County Board seeks to approve the Variation zoning relief it will require a  $\frac{3}{4}$  majority vote {14 votes} to approve based on the recommendation to deny by the Zoning Hearing Officer)*

**Development Committee: January 21, 2025:** The Motion to Approve failed relative to the following zoning relief:

1. Variation to reduce the required lot size (area) for two (2) new lots serviced with well and septic, from required 40,000 sq. ft. to approximately 10,314 sq. ft. for Lot 1 and 21,940 sq. ft. for Lot 2.
2. Variation to reduce the required lot width for one new interior lot serviced with well and septic, from required 125 feet wide to approximately 91.33 feet wide for Lot 1.

**Development Committee VOTE (Motion to Approve Failed): 0 Ayes, 6 Nays, 0 Absent**

**Zoning Hearing Officer: December 4, 2024:** The Zoning Hearing Officer recommended to deny the following zoning relief:

1. Variation to reduce the required lot size (area) for two (2) new lots serviced with well and septic, from required 40,000 sq. ft. to approximately 10,314 sq. ft. for Lot 1 and 21,940 sq. ft. for Lot 2.
2. Variation to reduce the required lot width for one new interior lot serviced with well and septic, from required 125 feet wide to approximately 91.33 feet wide for Lot 1.

**ZHO Recommendation to Deny**

### **FINDINGS OF FACT:**

- A. That petitioner testified that the subject zoning relief is for Variations to subdivide the subject property into two (2) new lots serviced with well and septic, requiring Variations for lot width and area.
- B. That petitioner testified that Lot 2 would be serviced with a mechanical septic system that would require approximately 600 sq. ft. of land.
- C. That petitioner testified that he would build a ranch home on proposed Lot 2, approximately 1,500 sq. ft. in size.
- D. That petitioner testified that the particular hardship for the subject Variations is that he is deprived of the value for the land by only having one (1) house on the subject property and that due to the size of the subject property, it would bring more value to have two (2) houses on the subject property.
- E. That the Zoning Hearing Officer finds that petitioner has not demonstrated or provided sufficient evidence to support the proposed Variations, specifically, that petitioner has not demonstrated or provided sufficient evidence in relation to a practical difficulty or particular hardship in order to support the Variations.
  - Furthermore, that the Zoning Hearing Officer finds that petitioner testified to a financial hardship of being deprived of the value for the subject land, and that the Zoning Hearing Officer finds that a financial/self-made hardship does not qualify as a particular hardship for a Variation.

### **STANDARDS FOR VARIATIONS:**

*\*Per Zoning Code Section 37-1411.3*

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 the proposed two (2) lot subdivision will not impair an adequate supply of light and air to the adjacent properties.
  - b. Increase the hazard from fire or other dangers to said property as petitioner **has not demonstrated** that the proposed two (2) lot subdivision will not increase in the hazard from fire or other dangers.

- c. Diminish the value of land and buildings throughout the County as petitioner **has not demonstrated** that the proposed two (2) lot subdivision 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 the proposed two (2) lot subdivision 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 the proposed two (2) lot subdivision 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 not demonstrated** that the proposed two (2) lot subdivision 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 two (2) lot 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-24-000069 Kosela</b>	
<b>ZONING REQUEST</b>	1. Variation to reduce the required lot size (area) for two (2) new lots serviced with well and septic, from required 40,000 sq. ft. to approximately 10,314 sq. ft. for Lot 1 and 21,940 sq. ft. for Lot 2. 2. Variation to reduce the required lot width for one new interior lot serviced with well and septic, from required 125 feet wide to approximately 91.33 feet wide for Lot 1.	
<b>OWNER</b>	BARBARA KOSELA, 5517 ESSEX ROAD, LISLE, IL 60532	
<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: OCTOBER 1, 2024	
<b>PUBLIC HEARING</b>	WEDNESDAY, OCTOBER 16, 2024, CONTINUED TO NOVEMBER 20, 2024	
<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 time of permit application	
Stormwater:	No Objections with the concept of the petition. Additional information may be required at time of permit application. (See attached documentation)	
Public Works:	"The property is on Septic & Well, there are no sewer or water mains in the area."	
<b>EXTERNAL:</b>		
Village of Lisle:	Objects. "On October 7, 2024, the Lisle Village Board of Trustees approved a motion objecting to the proposed variance for private well." "The Village of Lisle has a water main along the subject property's Kohley Road frontage. It is the Village's position that connection to public water should be required."	
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.:	"No jurisdiction in this matter."	

Sch. Dist. 202:	<i>No Comments Received.</i>
Forest Preserve:	“We do not have any specific 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







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Environmental  
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### DU PAGE COUNTY ZONING HEARING OFFICER PROGRAM Zoning Petition ZONING-24-000069 Kosela

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

Jessica Infelise, DuPage County Building and Zoning Department, 421 North County Farm Road, Wheaton, Illinois 60187; or via email at [Jessica.Infelise@dupagecounty.gov](mailto:Jessica.Infelise@dupagecounty.gov) or via facsimile at 630-407-6702 by **October 15, 2024**.

COMMENT SECTION:	
	: OUR OFFICE HAS NO JURISDICTION IN THIS MATTER
	: NO OBJECTION/CONCERNS WITH THE PETITION
X	: NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION. ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION
	: I OBJECT/ HAVE CONCERNS WITH THE PETITION.
<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."	
<b>SIGNATURE:</b> [REDACTED] <b>DATE:</b> 10/10/24	
<b>MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT:</b> DPC Stormwater Management	
<b>GENERAL ZONING CASE INFORMATION</b>	



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<b>COMMENT SECTION:</b>	
: 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.	
<b>COMMENTS:</b> On October 7, 2024, the Lisle Village Board of Trustees approved a motion objecting to the proposed variance for private well.	
<b>SIGNATURE:</b> [REDACTED]	<b>DATE:</b> 10/14/2024
<b>MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT:</b> Village of Lisle	
<b>GENERAL ZONING CASE INFORMATION</b>	
<b>CASE #/PETITIONER</b>	<b>ZONING-24-000069 Kosela</b>
<b>ZONING REQUEST</b>	1. Variation to reduce the required lot size (area) for two (2) new lots serviced with well and septic, from required 40,000 sq. ft. to approximately 10,314 sq. ft. for Lot 1 and 21,940 sq. ft. for Lot 2. 2. Variation to reduce the required lot width for one new interior lot serviced with well and septic, from required 125 feet wide to approximately 91.33 feet wide for Lot 1.
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<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: OCTOBER 1, 2024
<b>PUBLIC HEARING</b>	WEDNESDAY, OCTOBER 16, 2024

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

1

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



Z-24-000069 Kosela ZHO Legal and Staff (10-16-2024).pdf 455 KB ▾

**[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.]**

Jessica,

Please see attached. The Village of Lisle has a water main along the subject property's Kohley Road frontage. It is the Village's position that connection to public water should be required.

  
Michael R. Smetana  
Development Services Director  
Village of Lisle  
925 Burlington Ave  
Lisle, Illinois 60532  
630-271-4153; 630-271-4155 (fax)  
[msmetana@villageoflisle.org](mailto:msmetana@villageoflisle.org)

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Sent: Wednesday, November 20, 2024 4:33 PM  
To: Infelise, Jessica  
Cc: Martin Ptasinski; wplim@aol.com  
Subject: RE: Kosela

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Ms.Infelise,

I had some issues with my microphone during the zoom meeting but I just wanted to follow up in regards to a couple items brought up by the public during the meeting, for your consideration.

1. As it is typical with all new developments, all of the stormwater that is currently tributary to the subject property and any additional stormwater runoff generated by new impervious areas will be managed on-site and conveyed to the public storm system (in this case the roadside ditches along the south and west side of the property). As shown in the Preliminary Site Drawings submitted, the runoff is captured and directed to the roadside ditches, and this development will not increase any runoff onto the neighboring property to the north. Per existing topography, majority of the runoff currently draining onto that property is coming from the east. 5517 Essex Road does not drain to the neighboring property to the north, as shown below and it is unlikely that this property is the cause for any water damages to the residence to the north.



- a.
2. In regards to the water supply system and mentioned aquifer argument. I don't believe that one single family home will have a noticeable or adverse impact on the public water supply in this area.

My apologies for my technical issues. If you have any further questions, please don't hesitate to reach out.

Sincerely,

**KRYSTIAN USTUPSKI, P.E**  
**PHONE: (630) 561-1802**  
[KRYSTIAN@KRUENGDESIGN.COM](mailto:KRYSTIAN@KRUENGDESIGN.COM)



**Sent:** Tuesday, November 26, 2024 9:48 AM  
**To:** Infelise, Jessica  
**Subject:** Kosela case.  
**Attachments:** 20241120\_125920.jpg; 20241120\_125824.jpg; 20241120\_125759.jpg

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