



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Development Committee
FROM: DuPage County Zoning Hearing Officer
DATE: December 18, 2024
RE: **ZONING-24-000065 Sessions (York/District 2)**

Development Committee: January 21, 2025:

Zoning Hearing Officer: December 18, 2024: The Zoning Hearing Officer recommended to deny the following zoning relief:

1. Variation to reduce the required lot size for two lots serviced with water and sewer, from required 15,000 sq. ft. each lot to approximately 8,440 sq. ft. for Lot 1 and 8,440 sq. ft. for Lot 2.
2. Variation to reduce the required lot width for a corner lot (Lot 1) serviced with water and sewer, from required 125 feet to approximately 105.5 feet.
3. Variation to increase the FAR permitted on Lot 1, from permitted 0.3 (approximately 2,531 sq. ft. total) to approximately 0.42 (2,912 sq. ft. for existing house and 600 sq. ft. for new detached garage).

ZHO Recommendation to Deny

FINDINGS OF FACT:

- A. That petitioner testified that the subject zoning relief is to subdivide the subject property into two (2) new lots by reducing the required lot size for two (2) lots (with his existing house to remain on the proposed Lot 1), reducing the required lot width of corner lot for proposed Lot 1, and increasing the permitted FAR on proposed Lot 1 in order to build a new detached garage.
- B. That petitioner testified that he has requested the subject zoning relief in order to subdivide his property into two (2) lots, which would be consistent with the surrounding area and corner properties.

- C. That petitioner testified that he has lived at the subject property for approximately 1.5 years.
- D. That petitioner testified that both lots would be serviced with public sewer and water.
- E. That petitioner testified that he has drainage concerns on his property and that a new detached garage would assist and alleviate drainage concerns on the subject property.
- F. That the Zoning Hearing Officer finds that petitioner has not demonstrated sufficient evidence for a practical difficulty or particular hardship in relation to the subject zoning relief to reduce the required lot size for two (2) new lots, to reduce the required corner side yard lot width for proposed Lot 1, and to increase the FAR to allow for a new detached garage on proposed Lot 1.
- G. That the Zoning Hearing Officer finds that in supplemental documents submitted by the petitioner following the public hearing, petitioner indicated that there was a hardship of being deprived of the value for the subject land due to the minimum lot size requirements, and that the Zoning Hearing Officer finds that a financial/self-made hardship does not qualify as particular hardship or practical difficulty for a Variation.
- H. Furthermore, that the Zoning Hearing Officer finds that at the public hearing, the petitioner testified to existing drainage concerns on the subject property.

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 the proposed 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 lot subdivision 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 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 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 lot subdivision 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 the proposed 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 lot subdivision will not impair the public health, safety, comfort, morals, or general welfare and will be an added benefit to the neighborhood.

PETITIONER'S DEVELOPMENT FACT SHEET

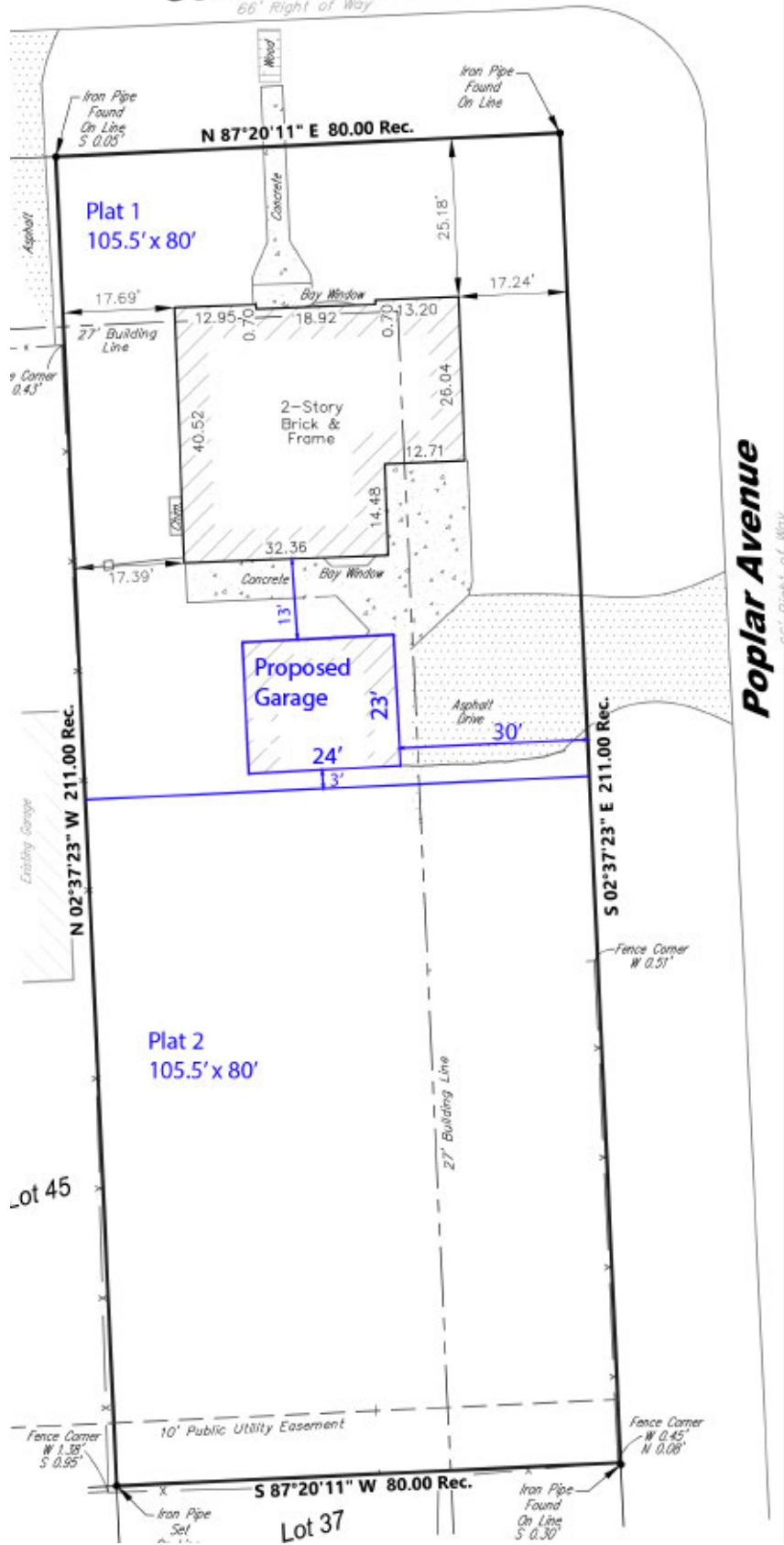
GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-24-000065 Sessions
ZONING REQUEST	<ol style="list-style-type: none"> 1. Variation to reduce the required lot size for two lots serviced with water and sewer, from required 15,000 sq. ft. each lot to approximately 8,440 sq. ft. for Lot 1 and 8,440 sq. ft. for Lot 2. 2. Variation to reduce the required lot width for a corner lot (Lot 1) serviced with water and sewer, from required 125 feet to approximately 105.5 feet. 3. Variation to increase the FAR permitted on Lot 1, from permitted 0.3 (approximately 2,531 sq. ft. total) to approximately 0.42 (2,912 sq. ft. for existing house and 600 sq. ft. for new detached garage).
OWNER	DAVID AND TAMALA SESSIONS, 15W375 CONCORD STREET, ELMHURST, IL 60126
ADDRESS/LOCATION	15W375 CONCORD STREET, ELMHURST, IL 60126
PIN	06-13-308-014
TWSP./CTY. BD. DIST.	YORK DISTRICT 2
ZONING/LUP	R-3 SF RES 0-5 DU AC
AREA	0.38 ACRES (16,553 SQ. FT.)
UTILITIES	Water/Sewer
PUBLICATION DATE	Daily Herald: October 1, 2024
PUBLIC HEARING	Wednesday, October 16, 2024
ADDITIONAL INFORMATION:	
Building:	No Objections.
DUDOT:	Our office has no jurisdiction in this matter.
Health:	Our office has no jurisdiction in this matter.
Stormwater:	No Objections 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 the sewer or water in this area, they are in Flagg Creek Sanitary District.”
EXTERNAL:	
City of Elmhurst:	<i>No Comments Received.</i>
City of Oakbrook Terrace:	<i>No Comments Received.</i>
Village of Oak Brook:	No Objections.
York Township:	<i>No Comments Received.</i>
Township Highway:	No Objections.
Yorkfield Fire Dist. (Elmhurst):	<i>No Comments Received.</i>
Sch. Dist. 205:	<i>No Comments Received.</i>
Forest Preserve:	“We do not have any specific comments.”

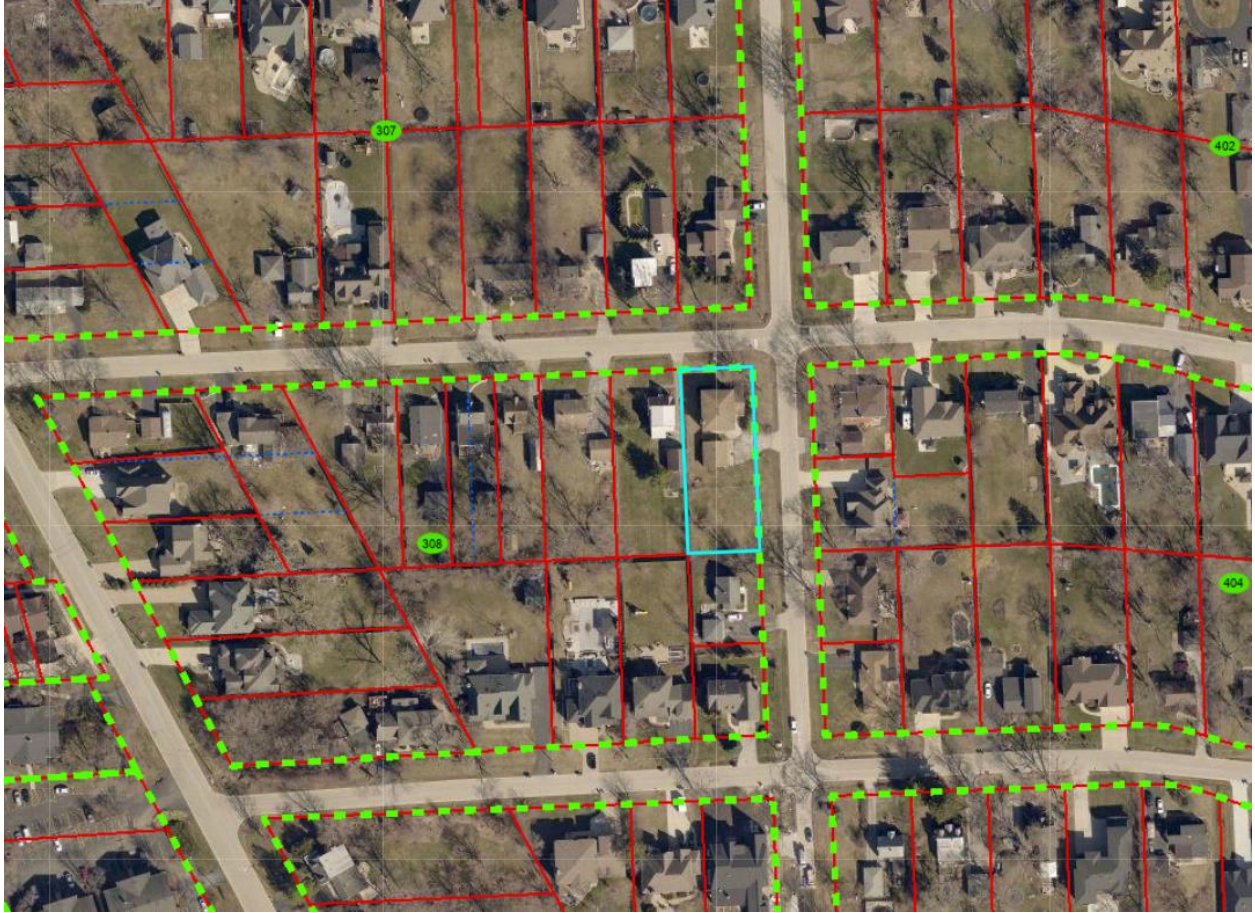
LAND USE

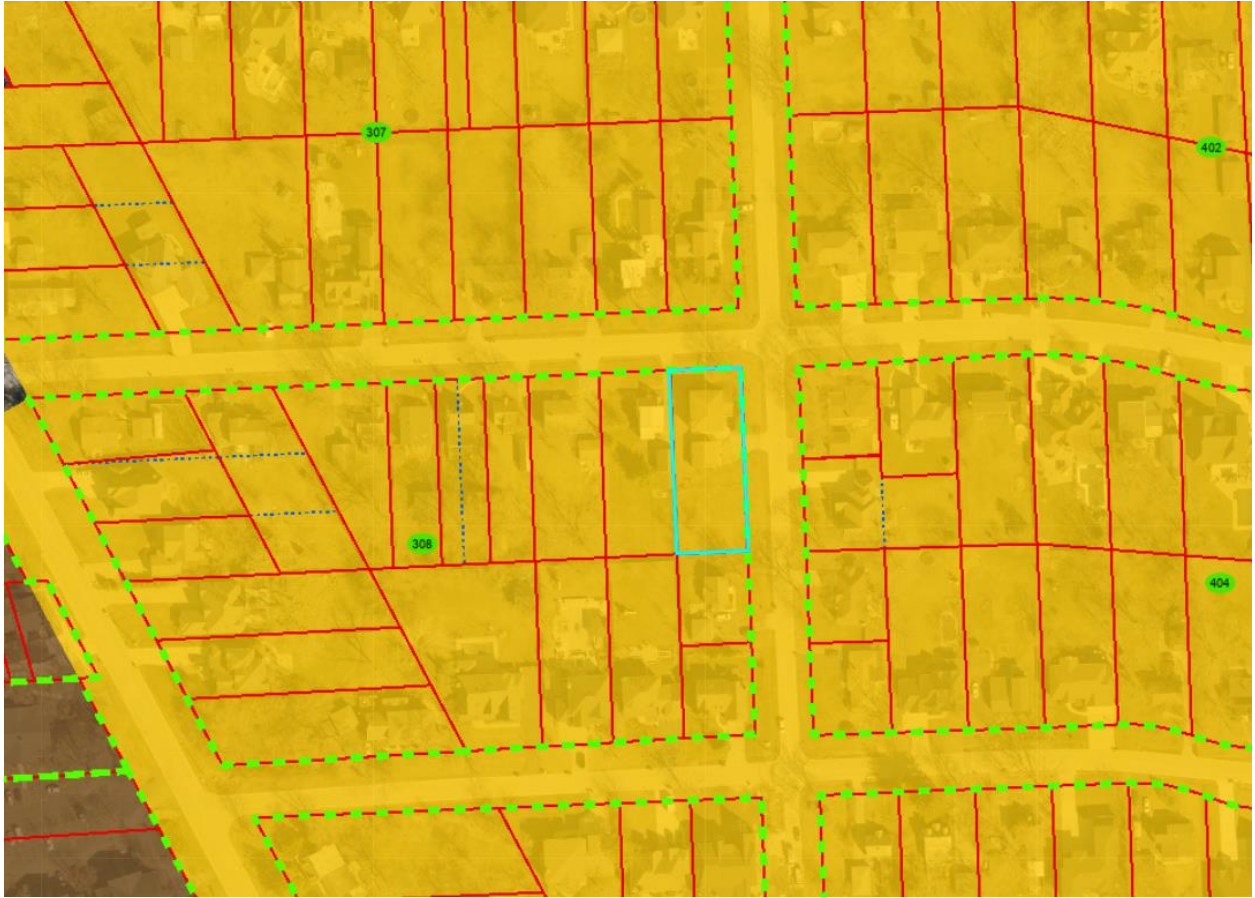
Location	Zoning	Existing Use	LUP
Subject	R-3 SF RES	HOUSE	0-5 DU AC
North	CONCORD STREET AND BEYOND R-3 SF RES	HOUSE	0-5 DU AC
South	R-3 SF RES	HOUSE	0-5 DU AC
East	POPLAR AVENUE AND BEYOND R-3 SF RES	HOUSE	0-5 DU AC
West	R-3 SF RES	HOUSE	0-5 DU AC

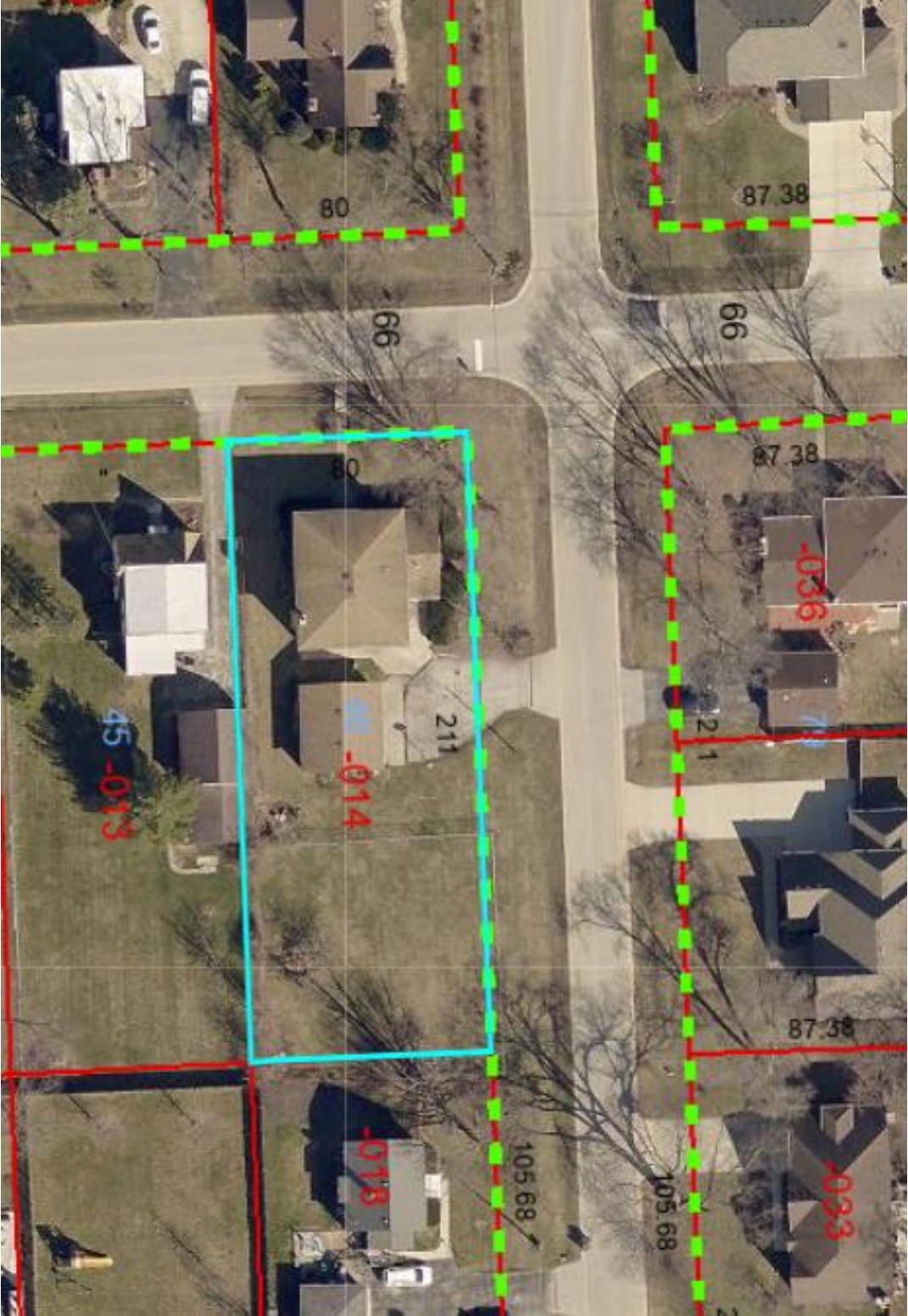
Concord Street

66' Right of Way











**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

DU PAGE COUNTY ZONING HEARING OFFICER PROGRAM Zoning Petition ZONING-24-000065 Sessions

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

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

COMMENT SECTION:	
<input type="checkbox"/>	OUR OFFICE HAS NO JURISDICTION IN THIS MATTER
<input type="checkbox"/>	NO OBJECTION/CONCERNS WITH THE PETITION
<input checked="" type="checkbox"/>	NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION. ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION
<input type="checkbox"/>	I OBJECT/HAVE CONCERNS WITH THE PETITION.
<p>COMMENTS: The face of the plat should contain language similar to the following:</p> <p>"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>	
SIGNATURE: [REDACTED] DATE: 10/10/24	
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT: DPC Stormwater Management	
GENERAL ZONING CASE INFORMATION	

- 1.) There are numerous lots in the neighborhood that are already under the 15,000 square foot requirement. Source: DuPage County GIS, parcels < 15,000sqft



- 2.) Current residence is situated in the northern part of the current lot leaving at least 50 percent of the southern end as vacant and not utilized
- 3.) The 15,000 square foot minimum requirement creates a hardship to develop the unutilized land in a manner consistent with the surrounding neighborhood

Sent: Wednesday, November 6, 2024 9:05 AM
To: Infelise, Jessica
Cc: Schwalm, Eileen
Subject: Re: DuPage County Zoom

[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.]

To Whom it may concern,

I vote against the lot being subdivided.

Best,

Albert John
