



DU PAGE COUNTY

Development Committee

Final Summary

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

Tuesday, May 20, 2025

10:30 AM

Room 3500B

1. CALL TO ORDER

10:30 AM meeting was called to order by Vice-Chair Yeena Yoo at 10:30 AM.

2. ROLL CALL

PRESENT	Covert, Krajewski, Ozog, Rutledge, and Yoo
ABSENT	Tornatore

3. CHAIRMAN'S REMARKS- CHAIR TORNATORE

4. PUBLIC COMMENT

No public comments were offered.

Vice-Chair Yoo informed the Committee Members that Chair Tornatore was out of town and she was glad to Chair the Meeting in his absence.

5. MINUTES APPROVAL

5.A. [25-1106](#)

Development Committee - Regular Meeting - April 15, 2025

Attachments: [Summary Minutes 4-15-2025.pdf](#)

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Sadia Covert
AYES:	Covert, Krajewski, Ozog, Rutledge, and Yoo
ABSENT:	Tornatore

6. REGULATORY SERVICES

6.A. [DC-O-0018-25](#)

ZONING-25-000008 – ORDINANCE – Smiley: To approve the following zoning relief:

1. Variation to reduce the corner side setback for a new deck from required 30 feet to approximately 10 feet.
2. Variation to reduce the corner side setback for a new front porch from required 27 feet to approximately 20 feet. (Addison/District 1)

ZHO Recommendation to Approve

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

Attachments: [Z-25-000008 Smiley Cty. Bd. \(05-27-2025\).pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Sadia Covert
SECONDER:	Mary Ozog
AYES:	Covert, Krajewski, Ozog, Rutledge, and Yoo
ABSENT:	Tornatore

6.B. [DC-O-0019-25](#)

ZONING-25-000013 – ORDINANCE – Aspen Inc.: To approve the following zoning relief:

Conditional Use to allow an existing shed to remain less than 3 feet from the rear property line (approximately 2.6 feet), where the shed has existed for at least 5 years. (Bloomington/District 1)

ZHO Recommendation to Approve

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

Attachments: [Z-25-000013 Aspen Inc. Cty. Bd. \(05-27-2025\).pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Mary Ozog
SECONDER:	Sadia Covert
AYES:	Covert, Krajewski, Ozog, Rutledge, and Yoo
ABSENT:	Tornatore

6.C. [DC-O-0020-25](#)

ZONING-25-000014 – ORDINANCE – Trauth: To approve the following zoning relief:

Variation to reduce the interior side setback for a new deck from required 3 feet to approximately 2 feet, to replace an existing deck with a new deck in the same location. (Lisle/District 5)

ZHO Recommendation to Approve

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

Attachments: [Z-25-000014 Trauth Cty. Bd. \(05-27-2025\).pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Sadia Covert
SECONDER:	Mary Ozog
AYES:	Covert, Krajewski, Ozog, Rutledge, and Yoo
ABSENT:	Tornatore

6.D. [DC-O-0021-25](#)

ZONING-25-000019 – ORDINANCE – Saiz: To approve the following zoning relief: Variation to reduce the corner side yard setback for a new house on existing foundation from required 20 feet to approximately 10 feet. (Lisle/District 2)

ZHO Recommendation to Approve

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

Attachments: [Z-25-000019 Saiz Cty. Bd. \(05-27-2025\) Redacted.pdf](#)

Member Rutledge inquired if the petitioner is building on the existing foundation why would zoning relief be needed? Paul Hoss, Planning & Zoning Administration Coordinator explained that the house is considered a new build under the building code and needs to meet the current zoning bulk requirements.

RESULT:	APPROVED AT COMMITTEE
MOVER:	Sadia Covert
SECONDER:	Mary Ozog
AYES:	Covert, Krajewski, Ozog, Rutledge, and Yoo
ABSENT:	Tornatore

6.E. [DC-R-0002-25](#)

To approve a Resolution of Declaration of Surplus Property located at 22W146 Hillcrest Terrace, Medinah. IL (PIN: 02-11-412-011)

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

Mr. Hoss informed the Committee that the property will be going up for auction. The money received for the property will go into the County's eventual housing trust. The lot is approximately 20k sq ft and is serviced by well and septic. He added that in the next few weeks there will be discussion brought to the Finance Committee and County Board about the next steps in housing solutions. This includes a resolution to create a land bank and a resolution to work with a not for profit to create a housing and land trust.

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

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 10:39 A.M.



Minutes

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

File #: 25-1106

Agenda Date: 5/6/2025

Agenda #: 5.A.



DU PAGE COUNTY

Development Committee

Final Summary

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

Tuesday, April 15, 2025

10:30 AM

Room 3500B

1. CALL TO ORDER

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

2. ROLL CALL

PRESENT	Covert, Ozog, Rutledge, Tornatore, and Yoo
ABSENT	Krajewski

3. CHAIRMAN'S REMARKS- CHAIR TORNATORE

No remarks were offered.

4. PUBLIC COMMENT

No public comments were offered.

5. MINUTES APPROVAL

5.A. [25-1048](#)

Development Committee - Regular Meeting - April 1, 2025

Attachments: [Meeting Min Summary 4-1-2025 - Copy.pdf](#)

RESULT:	APPROVED
MOVER:	Mary Ozog
SECONDER:	Yeena Yoo
ABSENT:	Krajewski

6. REGULATORY SERVICES

6.A. [25-1049](#)

SAFEbuilt Illinois, LLC – PO #6874-0001 SERV – This Purchase Order is decreasing in the amount of \$43,973.45 and closing due to expiration of the contract.

Attachments: [CO Dec & Close SAFEbuilt #6874-1 SERV_Redacted.pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Mary Ozog

SECONDER:	Sadia Covert
AYES:	Covert, Ozog, Rutledge, Tornatore, and Yoo
ABSENT:	Krajewski

6.B. [DC-O-0017-25](#)

ZONING-25-000005 – ORDINANCE – Friedman: To approve the following zoning relief:

Conditional Use to increase the total permitted area of detached accessory buildings from 1,000 sq. ft. to approximately 1,381 sq. ft., for an existing detached garage and shed.

(Milton/District 4)

ZHO Recommendation to Approve

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

Vice Chair Yoo inquired if both buildings were present when the owner purchased and if the shed or garage is the issue. Jessica Infelise Datzman, Zoning Administration Coordinator answered that the detached garage and shipping container were both existing when property was purchased. Shipping containers are not permitted, but per our code he is converting the container to a shed. The cumulative square footage total exceeds what is permitted for detached accessory items.

Attachments: [Z-25-000005 Friedman Dev. Com. \(04-15-2025\)_Redacted.pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Sadia Covert
SECONDER:	Yeena Yoo
AYES:	Covert, Ozog, Rutledge, Tornatore, and Yoo
ABSENT:	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 10:34 AM



Development Ordinance

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

File #: DC-O-0018-25

Agenda Date: 5/20/2025

Agenda #: 12.B.

Zoning Petition ZONING-25-000008 Smiley

WHEREAS, a public hearing was held on April 2, 2025 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

WHEREAS, a petition was presented at this hearing requesting the following zoning relief:

1. Variation to reduce the corner side setback for a new deck from required 30 feet to approximately 10 feet.
2. Variation to reduce the corner side setback for a new front porch from required 27 feet to approximately 20 feet, on the property hereinafter described:

LOT 18 IN BLOCK 5 IN BRANIGAR'S WOODDALE HIGHLANDS, BEING A SUBDIVISION IN SECTIONS 9 AND 10, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 29, 1940 AS DOCUMENT 414380, IN DUPAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on April 16, 2025 does find as follows:

FINDINGS OF FACT:

- A. That petitioner testified that the subject zoning relief is for a Variation to reduce the corner side setback for a new deck from required 30 feet to approximately 10 feet and a Variation to reduce the corner side setback for a new front porch from required 27 feet to approximately 20 feet.
- B. That petitioner testified that he purchased the subject property in 2023, and that the existing house was built in the 1940s, with an addition constructed in 2016.
- C. That petitioner testified that both the existing home, including the front porch and rear deck, were constructed too close to corner side property line, and that in order to replace the front porch and rear deck, the subject zoning relief is required.
- D. That petitioner testified that the existing front porch needs to be redone due to a failing porch foundation.
 - a. Additionally, that petitioner testified that he will be replacing the existing front porch with a new porch in the

exact same location and size.

- E. That petitioner testified that the existing rear deck needs to be replaced and that he plans to remove the existing deck, replace the deck, and expand it to meet the pool.
- F. That petitioner testified that without a rear deck, there is no way to exit the rear of his house due to the elevation of the existing home.
- G. That petitioner testified that he has existing landscaping along the Foster Avenue corner side property line, including trees and arborvitae.
- H. That the Zoning Hearing Officer finds that petitioner has demonstrated sufficient evidence for the subject zoning relief and has demonstrated evidence for a hardship in relation to the subject property.
 - a. Petitioner demonstrated that he is replacing the front porch in the same location and size as the existing front porch, which was constructed too close to the corner side property line, and that petitioner is replacing and expanding the rear deck to meet the existing pool.
 - b. Petitioner demonstrated that the existing house, including the existing front porch and rear deck, were constructed too close to the corner side property line, and that the subject zoning relief would be required in order to replace the porch and deck.
 - c. Petitioner also demonstrated that the only way he can access the rear of the subject house is through a deck due to the elevation of the house.

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; and specifically, that 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 he is replacing the existing front porch and rear deck, which were both constructed too close to the corner side property line and do 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 demonstrated** that he will obtain a building permit for the proposed new front porch and rear deck, and that both will be built pursuant to all building codes.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that he is replacing the existing front porch and rear deck and that the proposed construction 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 he is replacing the existing front porch and rear deck, which were both constructed too close to the corner side property line and do 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 new front porch and rear deck 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 new front porch and rear deck will not incur additional 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 new front porch and rear deck will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County and will be an added benefit to the surrounding area.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-25-000008 Smiley	
ZONING REQUEST	1. Variation to reduce the corner side setback for a deck from required 30 feet to approximately 10 feet Variation to reduce the corner side setback for a new porch from required 27 feet to approximately 20 feet	
OWNER	AUSTIN AND JENNIFER SMILEY, 514 N CEDAR AVENUE, WOOD DALE, IL 60191	
ADDRESS/LOCATION	514 N CEDAR AVENUE, WOOD DALE, IL 60191	
PIN	03-10-301-027	
TWSP./CTY. BD. DIST.	ADDISON	DISTRICT 1
ZONING/LUP	R-3 SF RES	0-5 DU AC
AREA	0.45 ACRES (19,602 SQ. FT.)	
UTILITIES	WATER AND SEWER	
PUBLICATION DATE	Daily Herald: MARCH 18, 2025	
PUBLIC HEARING	WEDNESDAY, APRIL 2, 2025	
<u>ADDITIONAL INFORMATION:</u>		
Building:	No Objections.	
DUDOT:	No Comments Received.	
Health:	Our office has no jurisdiction in this matter.	
Stormwater:	No Objection.	
Public Works:	"DPC Public Works doesn't own any sewer or water mains in the area."	
EXTERNAL:		
City of Wood Dale:	No Comments Received.	
Village of Itasca:	No Comments Received.	

Elk Grove Village:	<i>No Comments Received.</i>
Village of Bensenville:	<i>No Comments Received.</i>
Village of Addison:	Our office has no jurisdiction in this matter.
Addison Township:	<i>No Comments Received.</i>
Township Highway:	<i>No Comments Received.</i>
Wood Dale Fire Dist.:	Our office has no jurisdiction in this matter.
Sch. Dist. #7:	<i>No Comments Received.</i>
Sch. Dist. #100:	<i>No Comments Received.</i>
Forest Preserve:	"District staff have reviewed the information provided with the Public Notice and no comments."

GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Corner Side Yard:	30' 27'	APPROX. 10' APPROX. 20'	APPROX. 10' APPROX. 20'

LAND USE:

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

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on April 16, 2025, recommends to approve the following zoning relief:

1. Variation to reduce the corner side setback for a new deck from required 30 feet to approximately 10 feet.
2. Variation to reduce the corner side setback for a new front porch from required 27 feet to approximately 20 feet.

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-25-000008 Smiley** dated April 2, 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

WHEREAS, the County Board Development Committee on May 20, 2025, considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and recommends to approve the following zoning relief:

1. Variation to reduce the corner side setback for a new deck from required 30 feet to approximately 10 feet.
2. Variation to reduce the corner side setback for a new front porch from required 27 feet to approximately 20 feet.

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-25-000008 Smiley** dated April 2, 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.

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

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County, Illinois that the following zoning relief be granted:

1. Variation to reduce the corner side setback for a new deck from required 30 feet to approximately 10 feet.
2. Variation to reduce the corner side setback for a new front porch from required 27 feet to approximately 20 feet, on the property hereinafter described:

LOT 18 IN BLOCK 5 IN BRANIGAR'S WOODDALE HIGHLANDS, BEING A SUBDIVISION IN SECTIONS 9 AND 10, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE

PLAT THEREOF RECORDED AUGUST 29, 1940 AS DOCUMENT 414380, IN DUPAGE COUNTY, ILLINOIS; and

The Zoning Relief is 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-25-000008 Smiley** dated April 2, 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.

BE IT FURTHER ORDAINED by the County Board of DuPage County, Illinois that should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid; and

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; AUSTIN AND JENNIFER SMILEY, 514 N CEDAR AVENUE, WOOD DALE, IL 60191; and Township Assessor, Addison Township, 401 North Addison Road, Addison, IL 60101.

Enacted and approved this 27th day of May, 2025 at Wheaton, Illinois.

DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest: _____

JEAN KACZMAREK, COUNTY CLERK



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: May 20, 2025

RE: **ZONING-25-000008 Smiley (Addison/District 1)**

DuPage County Board: May 27, 2025:

Development Committee: May 20, 2025: The DuPage County Development Committee recommended to approve the following zoning relief:

1. Variation to reduce the corner side setback for a new deck from required 30 feet to approximately 10 feet.
2. Variation to reduce the corner side setback for a new front porch from required 27 feet to approximately 20 feet.

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-25-000008 Smiley** dated April 2, 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.

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

Zoning Hearing Officer: April 16, 2025: The Zoning Hearing Officer recommended to approve the following zoning relief:

1. Variation to reduce the corner side setback for a new deck from required 30 feet to approximately 10 feet.
2. Variation to reduce the corner side setback for a new front porch from required 27 feet to approximately 20 feet.

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-25-000008 Smiley dated April 2, 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 corner side setback for a new deck from required 30 feet to approximately 10 feet and a Variation to reduce the corner side setback for a new front porch from required 27 feet to approximately 20 feet.
- B. That petitioner testified that he purchased the subject property in 2023, and that the existing house was built in the 1940s, with an addition constructed in 2016.
- C. That petitioner testified that both the existing home, including the front porch and rear deck, were constructed too close to corner side property line, and that in order to replace the front porch and rear deck, the subject zoning relief is required.
- D. That petitioner testified that the existing front porch needs to be redone due to a failing porch foundation.
 - a. Additionally, that petitioner testified that he will be replacing the existing front porch with a new porch in the exact same location and size.
- E. That petitioner testified that the existing rear deck needs to be replaced and that he plans to remove the existing deck, replace the deck, and expand it to meet the pool.
- F. That petitioner testified that without a rear deck, there is no way to exit the rear of his house due to the elevation of the existing home.
- G. That petitioner testified that he has existing landscaping along the Foster Avenue corner side property line, including trees and arborvitae.

- H. That the Zoning Hearing Officer finds that petitioner has demonstrated sufficient evidence for the subject zoning relief and has demonstrated evidence for a hardship in relation to the subject property.
- a. Petitioner demonstrated that he is replacing the front porch in the same location and size as the existing front porch, which was constructed too close to the corner side property line, and that petitioner is replacing and expanding the rear deck to meet the existing pool.
 - b. Petitioner demonstrated that the existing house, including the existing front porch and rear deck, were constructed too close to the corner side property line, and that the subject zoning relief would be required in order to replace the porch and deck.
 - c. Petitioner also demonstrated that the only way he can access the rear of the subject house is through a deck due to the elevation of the house.

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; and specifically, that 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 he is replacing the existing front porch and rear deck, which were both constructed too close to the corner side property line and do 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 demonstrated** that he will obtain a building permit for the proposed new front porch and rear deck, and that both will be built pursuant to all building codes.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that he is replacing the existing front porch and rear deck and that the proposed construction 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 he is replacing the existing front porch and rear deck, which were both constructed too close to the corner side property line and do 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 new front porch and rear deck 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 new front porch and rear deck will not incur additional expense for flood protection, rescue, or relief.

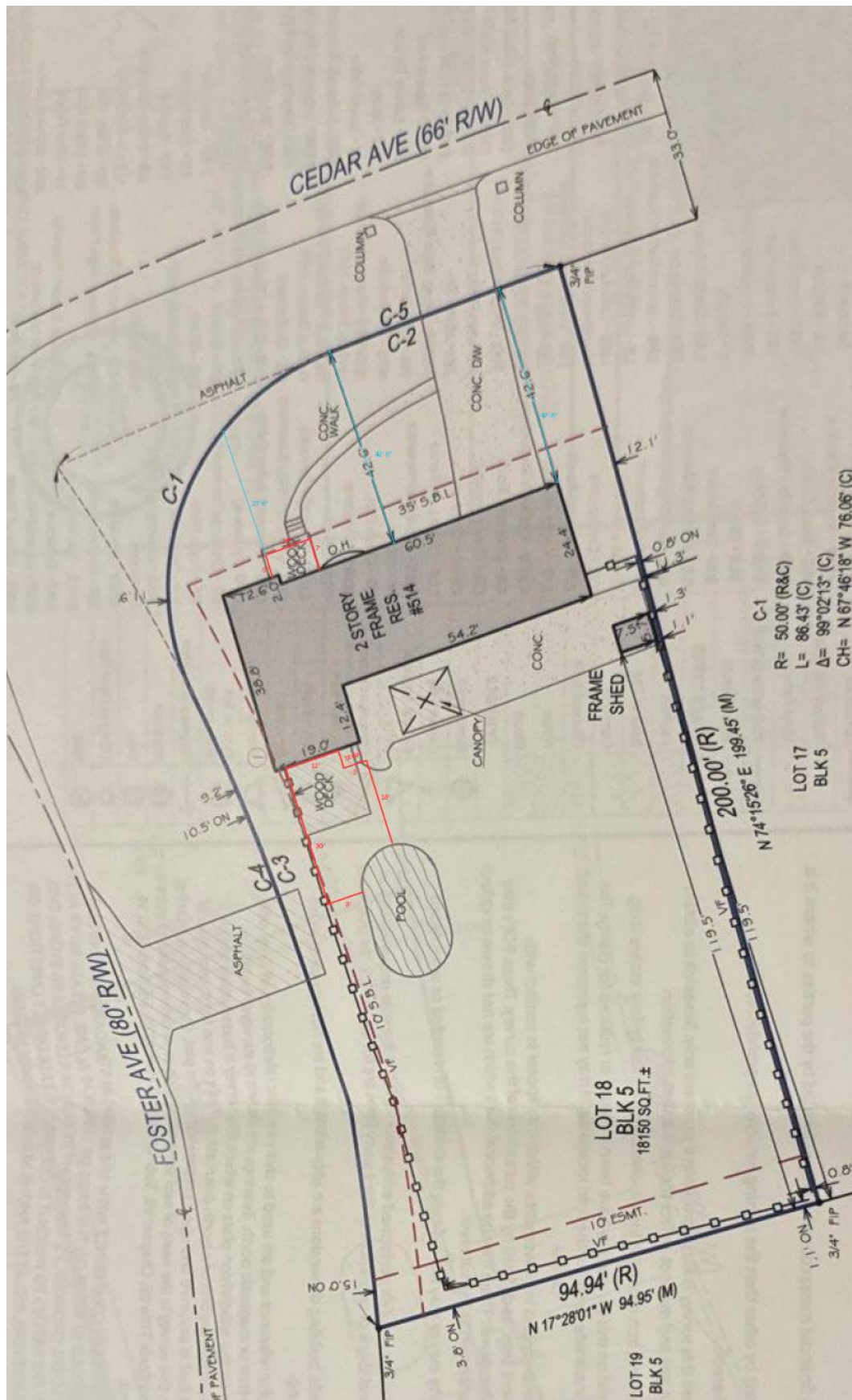
- g. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County as petitioner **has demonstrated** that the proposed new front porch and rear deck will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County and will be an added benefit to the surrounding area.

PETITIONER'S DEVELOPMENT FACT SHEET

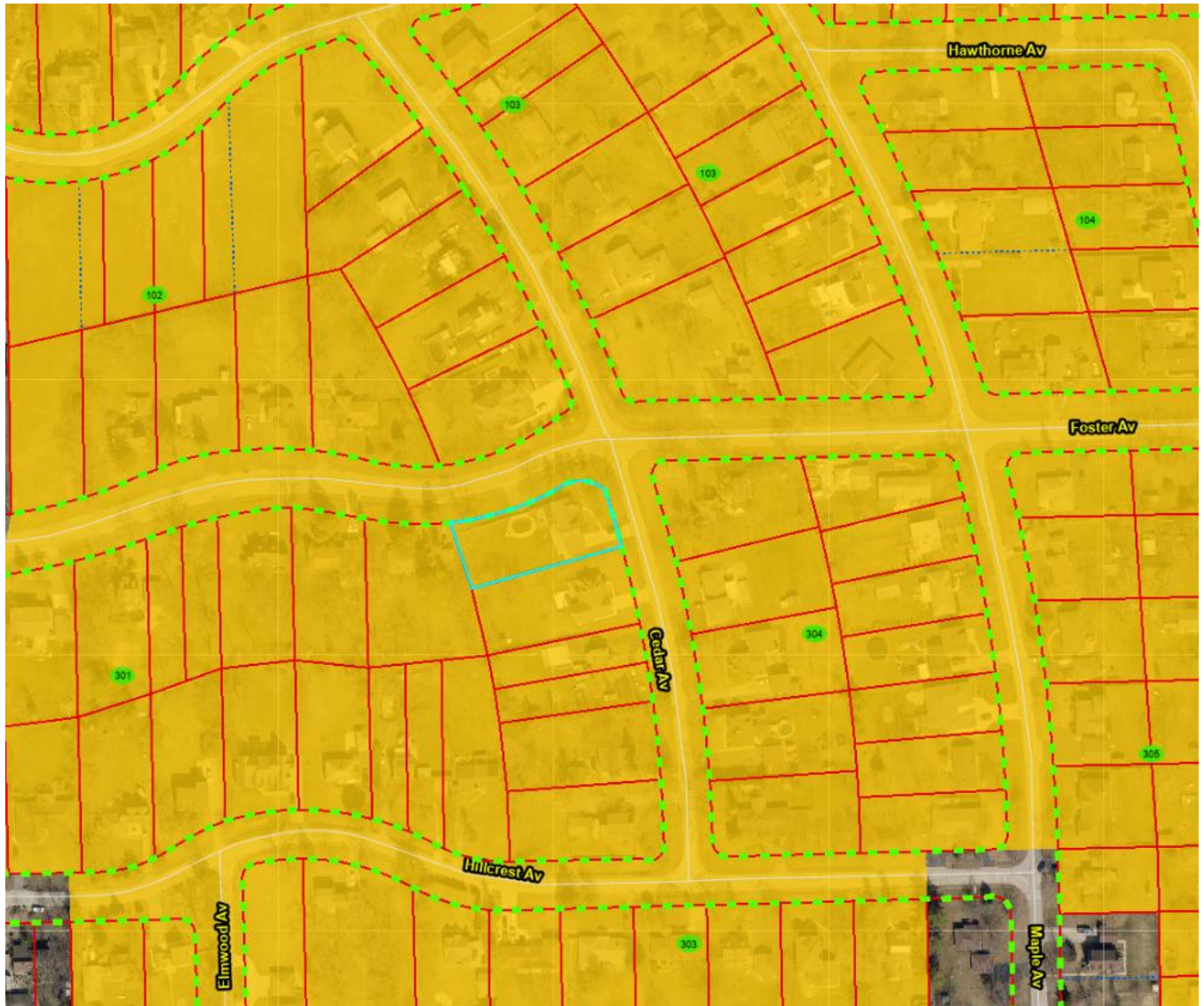
GENERAL ZONING CASE INFORMATION			
CASE #/PETITIONER	ZONING-25-000008 Smiley		
ZONING REQUEST	1. Variation to reduce the corner side setback for a new deck from required 30 feet to approximately 10 feet. 2. Variation to reduce the corner side setback for a new front porch from required 27 feet to approximately 20 feet.		
OWNER	AUSTIN AND JENNIFER SMILEY, 514 N CEDAR AVENUE, WOOD DALE, IL 60191		
ADDRESS/LOCATION	514 N CEDAR AVENUE, WOOD DALE, IL 60191		
PIN	03-10-301-027		
TWSP./CTY. BD. DIST.	ADDISON	DISTRICT 1	
ZONING/LUP	R-3 SF RES	0-5 DU AC	
AREA	0.45 ACRES (19,602 SQ. FT.)		
UTILITIES	WATER AND SEWER		
PUBLICATION DATE	Daily Herald: MARCH 18, 2025		
PUBLIC HEARING	WEDNESDAY, APRIL 2, 2025		
ADDITIONAL INFORMATION:			
Building:	No Objections.		
DUDOT:	<i>No Comments Received.</i>		
Health:	Our office has no jurisdiction in this matter.		
Stormwater:	No Objection.		
Public Works:	"DPC Public Works doesn't own any sewer or water mains in the area."		
EXTERNAL:			
City of Wood Dale:	<i>No Comments Received.</i>		
Village of Itasca:	<i>No Comments Received.</i>		
Elk Grove Village:	<i>No Comments Received.</i>		
Village of Bensenville:	<i>No Comments Received.</i>		
Village of Addison:	Our office has no jurisdiction in this matter.		
Addison Township:	<i>No Comments Received.</i>		
Township Highway:	<i>No Comments Received.</i>		
Wood Dale Fire Dist.:	Our office has no jurisdiction in this matter.		
Sch. Dist. #7:	<i>No Comments Received.</i>		
Sch. Dist. #100:	<i>No Comments Received.</i>		
Forest Preserve:	"District staff have reviewed the information provided with the Public Notice and we have no comments."		
GENERAL BULK REQUIREMENTS:			
REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Corner Side Yard:	30' 27'	APPROX. 10' APPROX. 20'	APPROX. 10' APPROX. 20'

LAND USE:

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











Development Ordinance

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

File #: DC-O-0019-25

Agenda Date: 5/20/2025

Agenda #: 12.C.

Zoning Petition ZONING-25-000013 Aspen Inc.

WHEREAS, a public hearing was held on April 30, 2025 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

WHEREAS, a petition was presented at this hearing requesting the following zoning relief:

Conditional Use to allow an existing shed to remain less than 3 feet from the rear property line (approximately 2.6 feet), where the shed has existed for at least 5 years, on the property hereinafter described:

LOT 8 IN BLOCK 12 IN FEUERBORN AND KLODE'S SWIFT ESTATES, BEING A SUBDIVISION OF PART OF THE NORTHEAST ¼ AND THE NORTHWEST ¼ OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 30, 1925 AS DOCUMENT 187874, IN DUPAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on May 7, 2025 does find as follows:

FINDINGS OF FACT:

- A. That petitioner testified that the subject zoning relief is to allow an existing shed to remain less than 3 feet from the rear property line (approximately 2.6 feet), where the shed has existed for at least 5 years
- B. That petitioner testified that the subject home is vacant and currently managed by Hudson Homes Rental, a Texas-based company.
- C. That petitioner testified that they were hired by Hudson Homes Rental to complete the rehabilitation work on the subject property before the property is marketed for sale.
- D. That petitioner testified that the subject shed is located on a concrete slab and is in good condition.
- E. That petitioner testified that the subject shed has existed for at least fifteen (15) years.

- F. That petitioner testified that there are no utilities in the subject shed and that it is a residential storage shed.
- G. That the Zoning Hearing Officer finds that petitioner has demonstrated that the subject zoning relief to allow an existing shed to remain less than 3 feet from the rear property line (approximately 2.6 feet), where the shed has existed for at least 5 years, does not have any impact on adjacent properties and roadways, does not impact on drainage, and does not impede ventilation and light to the subject property or adjacent properties.
- a. Furthermore, that the two (2) year proposed period of relief is intended to permit the subject owner to obtain a tenant for the property, for the tenant to establish some regular use of the shed, and the County to determine whether the actual use is consistent with the testimony at the hearing and the conditions set forth in the relief.

STANDARDS FOR CONDITIONAL USES:

1. That the Zoning Hearing Officer 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 existing shed does not impact or impair the supply of light and air to adjacent properties.
- b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that they will receive a building permit from the County for the existing shed and that it was built pursuant to the current DuPage County building codes.
- c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the existing shed does not diminish the value of land throughout the County.
- d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the existing shed is located behind the front wall of the home and does not impact traffic congestion in the public streets and highways.
- e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that that the existing shed does not increase potential for flood damages to the adjacent property.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the existing shed 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 shed does not have any impact on adjacent properties and roadways, does not impact on drainage, and does not impede ventilation and light to the subject property or adjacent properties.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-25-000013 Aspen Inc.	
ZONING REQUEST	Conditional Use to allow an existing shed to remain than 3 feet from the rear property line (approximate feet), where the shed has existed for at least 5 years.	
OWNER	US BANK TRUST, 21W341 BELDEN AVENUE, LOMBARD, IL 60148 / US BANK TRUST, 2711 N KASKELL, DALLAS, TX 60148 / AGENT: ASPE GENERAL CONTRACTORS, INC., 1865 HICKS SUITE A, ROLLING MEADOWS, IL 60008	
ADDRESS/LOCATION	21W341 BELDEN AVENUE, LOMBARD, IL 601	
PIN	02-36-211-001	
TWSP./CTY. BD. DIST.	BLOOMINGDALE	DISTRICT 1
ZONING/LUP	R-4 SF RES	0-5 DU AC
AREA	0.47 ACRES (20,473 SQ. FT.)	
UTILITIES	WATER/SEPTIC	
PUBLICATION DATE	Daily Herald: APRIL 15, 2025	
PUBLIC HEARING	WEDNESDAY, APRIL 30, 2025	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	No Comments Received.	
Health:	No Comments Received.	
Stormwater:	No Objections.	
Public Works:	"DPC Public Works doesn't own any sewer or water mains in the area."	
EXTERNAL:		
Village of Glendale Heights:	No Comments Received.	
Village of Bloomingdale:	No Comments Received.	
Village of Addison:	No Objections. "Consider structure as existing nonconforming. No issues for shed to remain in its current location, but should replacement take place reconstructing it at least 5' from any rear or side yard property lines."	
Village of Glen Ellyn:	No Comments Received.	
Village of Lombard:	"The subject property is outside the Village of Lombard's planning boundary. We have no comment on the petition."	
Bloomington Township:	No Comments Received.	
Township Highway:	Our office has no jurisdiction in this matter.	
Bloomington Fire Dist.:	No Objections.	
Sch. Dist. 15:	No Comments Received.	
Sch. Dist. 87:	No Comments Received.	

Forest Preserve:	"Forest Preserve District staff have reviewed the information provided and do any comments."
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GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Rear Yard:	3 FT	APPROX. 2.6 FT	APPROX. 2.6 FT

LAND USE:

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	HOUSE	0-5 DU AC
North	BELDEN AVENUE AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
South	R-4 SF RES	HOUSE	0-5 DU AC
East	R-4 SF RES	VACANT	0-5 DU AC
West	UNIMPROVED ROW AND BEYOND R-4 SF RES	VACANT	0-5 DU AC

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on May 7, 2025, recommends to approve the following zoning relief:

Conditional Use to allow an existing shed to remain less than 3 feet from the rear property line (approximately 2.6 feet), where the shed 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-25-000013 **Aspen Inc.** dated April 30, 2025.
2. That the Conditional Use zoning relief shall expire after two (2) 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/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
4. That petitioner maintains the existing landscaping around the perimeter of the subject property.

5. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

ZHO Recommendation to Approve

WHEREAS, the County Board Development Committee on May 20, 2025, considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and recommends to approve the following zoning relief:

Conditional Use to allow an existing shed to remain less than 3 feet from the rear property line (approximately 2.6 feet), where the shed 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-25-000013 Aspen Inc.** dated April 30, 2025.
2. That the Conditional Use zoning relief shall expire after two (2) 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/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
4. That petitioner maintains the existing landscaping around the perimeter of the subject property.
5. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

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

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County, Illinois that the following zoning relief be granted:

Conditional Use to allow an existing shed to remain less than 3 feet from the rear property line (approximately 2.6 feet), where the shed has existed for at least 5 years, on the property hereinafter described:

LOT 8 IN BLOCK 12 IN FEUERBORN AND KLODE'S SWIFT ESTATES, BEING A SUBDIVISION OF PART OF THE NORTHEAST ¼ AND THE NORTHWEST ¼ OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 30, 1925 AS DOCUMENT 187874, IN DUPAGE COUNTY, ILLINOIS; and

The Zoning Relief is 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-25-000013 Aspen Inc.** dated April 30, 2025.
2. That the Conditional Use zoning relief shall expire after two (2) 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/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
4. That petitioner maintains the existing landscaping around the perimeter of the subject property.
5. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

BE IT FURTHER ORDAINED by the County Board of DuPage County, Illinois that should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid; and

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; US BANK TRUST, 21W341 BELDEN AVENUE, LOMBARD, IL 60148 / US BANK TRUST, 2711 N KASKELL, DALLAS, TX 60148 / AGENT: ASPEN GENERAL CONTRACTORS, INC., 1865 HICKS ROAD SUITE A, ROLLING MEADOWS, IL 60008; and Township Assessor, Bloomingdale Township, 123 N. Rosedale, Bloomingdale, IL 60108.

Enacted and approved this 27th day of May, 2025 at Wheaton, Illinois.

DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest: _____

JEAN KACZMAREK, COUNTY CLERK



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: May 20, 2025

RE: **ZONING-25-000013 Aspen Inc. (Bloomingdale/District 1)**

DuPage County Board: May 27, 2025:

Development Committee: May 20, 2025: The DuPage County Development Committee recommended to approve the following zoning relief:

Conditional Use to allow an existing shed to remain less than 3 feet from the rear property line (approximately 2.6 feet), where the shed 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-25-000013 Aspen Inc.** dated April 30, 2025.
2. That the Conditional Use zoning relief shall expire after two (2) 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/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
4. That petitioner maintains the existing landscaping around the perimeter of the subject property.

5. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

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

Zoning Hearing Officer: May 7, 2025: The Zoning Hearing Officer recommended to approve the following zoning relief:

Conditional Use to allow an existing shed to remain less than 3 feet from the rear property line (approximately 2.6 feet), where the shed 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-25-000013 Aspen Inc. dated April 30, 2025.
2. That the Conditional Use zoning relief shall expire after two (2) 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/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
4. That petitioner maintains the existing landscaping around the perimeter of the subject property.
5. 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 to allow an existing shed to remain less than 3 feet from the rear property line (approximately 2.6 feet), where the shed has existed for at least 5 years
- B. That petitioner testified that the subject home is vacant and currently managed by Hudson Homes Rental, a Texas-based company.
- C. That petitioner testified that they were hired by Hudson Homes Rental to complete the rehabilitation work on the subject property before the property is marketed for sale.
- D. That petitioner testified that the subject shed is located on a concrete slab and is in good condition.

- E. That petitioner testified that the subject shed has existed for at least fifteen (15) years.
- F. That petitioner testified that there are no utilities in the subject shed and that it is a residential storage shed.
- G. That the Zoning Hearing Officer finds that petitioner has demonstrated that the subject zoning relief to allow an existing shed to remain less than 3 feet from the rear property line (approximately 2.6 feet), where the shed has existed for at least 5 years, does not have any impact on adjacent properties and roadways, does not impact on drainage, and does not impede ventilation and light to the subject property or adjacent properties.
 - a. Furthermore, that the two (2) year proposed period of relief is intended to permit the subject owner to obtain a tenant for the property, for the tenant to establish some regular use of the shed, and the County to determine whether the actual use is consistent with the testimony at the hearing and the conditions set forth in the relief.

STANDARDS FOR CONDITIONAL USES:

- 1. That the Zoning Hearing Officer 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 existing shed does not impact or impair the supply of light and air to adjacent properties.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that they will receive a building permit from the County for the existing shed and that it was built pursuant to the current DuPage County building codes.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the existing shed does not diminish the value of land throughout the County.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the existing shed is located behind the front wall of the home and does not impact traffic congestion in the public streets and highways.
 - e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the existing shed does not increase potential for flood damages to the adjacent property.
 - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the existing shed 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 shed does not have any impact on adjacent properties and roadways, does not impact on drainage, and does not impede ventilation and light to the subject property or adjacent properties.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-25-000013 Aspen Inc.	
ZONING REQUEST	Conditional Use to allow an existing shed to remain less than 3 feet from the rear property line (approximately 2.6 feet), where the shed has existed for at least 5 years.	
OWNER	US BANK TRUST, 21W341 BELDEN AVENUE, LOMBARD, IL 60148 / US BANK TRUST, 2711 N KASKELL, DALLAS, TX 60148 / AGENT: ASPEN GENERAL CONTRACTORS, INC., 1865 HICKS ROAD SUITE A, ROLLING MEADOWS, IL 60008	
ADDRESS/LOCATION	21W341 BELDEN AVENUE, LOMBARD, IL 60148	
PIN	02-36-211-001	
TWSP./CTY. BD. DIST.	BLOOMINGDALE	DISTRICT 1
ZONING/LUP	R-4 SF RES	0-5 DU AC
AREA	0.47 ACRES (20,473 SQ. FT.)	
UTILITIES	WATER/SEPTIC	
PUBLICATION DATE	Daily Herald: APRIL 15, 2025	
PUBLIC HEARING	WEDNESDAY, APRIL 30, 2025	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	No Comments Received.	
Health:	No Comments Received.	
Stormwater:	No Objections.	
Public Works:	“DPC Public Works doesn’t own any sewer or water mains in the area.”	
EXTERNAL:		
Village of Glendale Heights:	No Comments Received.	
Village of Bloomingdale:	No Comments Received.	
Village of Addison:	No Objections. “Consider structure as existing nonconforming. No issues for the existing shed to remain in its current location, but should replacement take place recommend placing it at least 5' from any rear or side yard property lines.”	
Village of Glen Ellyn:	No Comments Received.	
Village of Lombard:	“The subject property is outside the Village of Lombard’s planning boundary. As such, we have no comment on the petition.”	
Bloomington Township:	No Comments Received.	
Township Highway:	Our office has no jurisdiction in this matter.	
Bloomington Fire Dist.:	No Objections.	
Sch. Dist. 15:	No Comments Received.	
Sch. Dist. 87:	No Comments Received.	

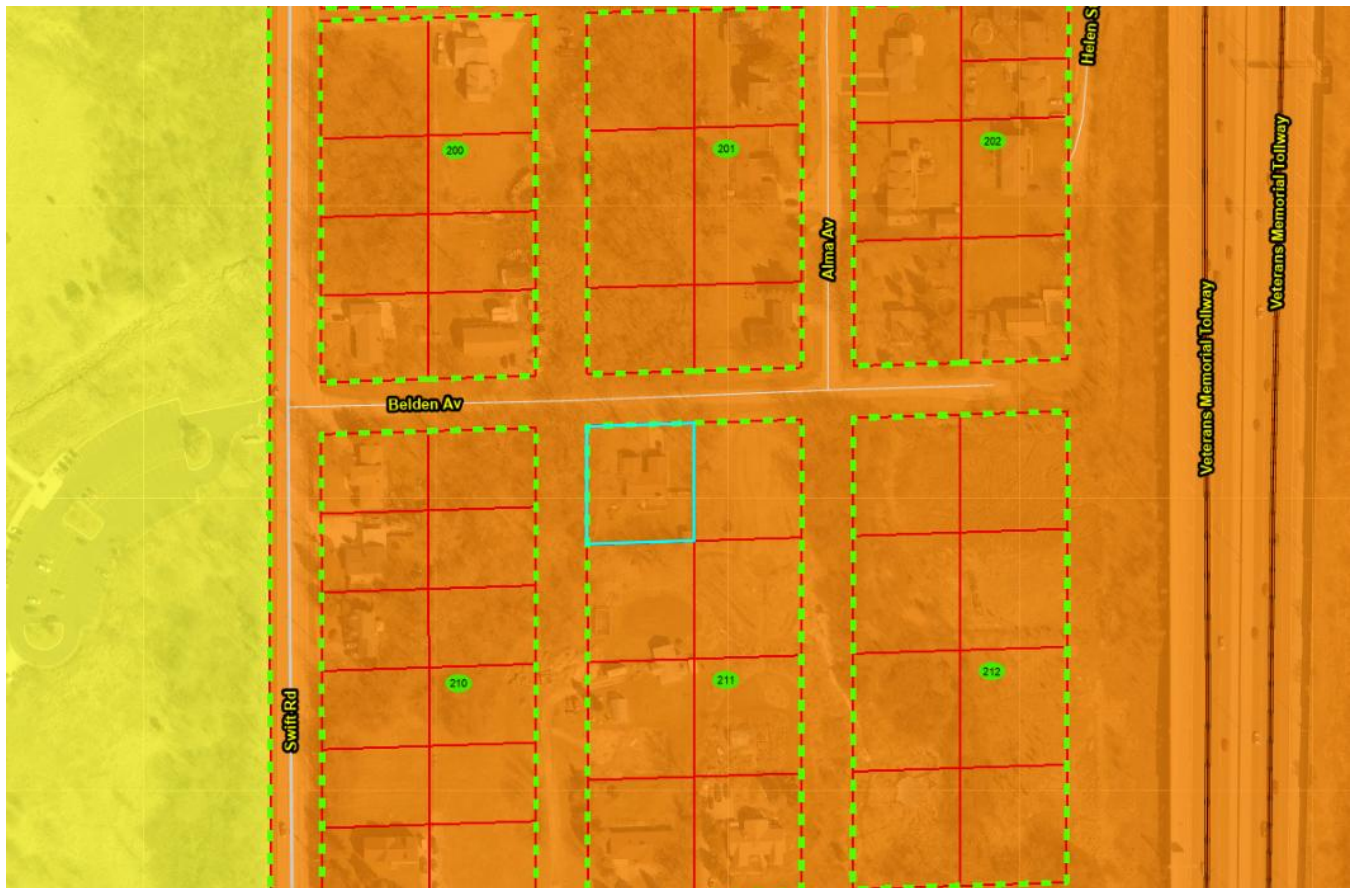
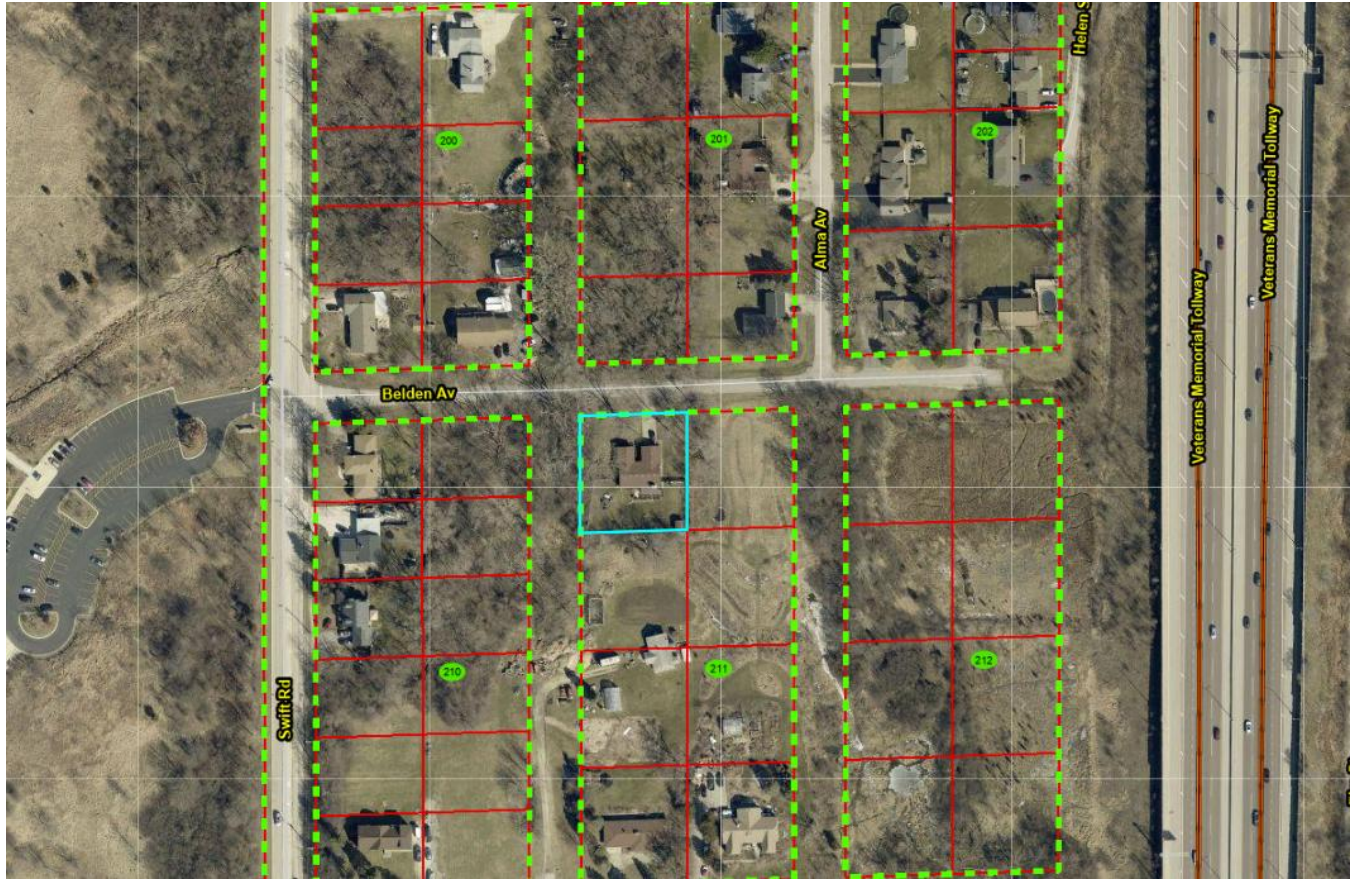
Forest Preserve:	“Forest Preserve District staff have reviewed the information provided and do not have any comments.”
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GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Rear Yard:	3 FT	APPROX. 2.6 FT	APPROX. 2.6 FT

LAND USE:

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	HOUSE	0-5 DU AC
North	BELDEN AVENUE AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
South	R-4 SF RES	HOUSE	0-5 DU AC
East	R-4 SF RES	VACANT	0-5 DU AC
West	UNIMPROVED ROW AND BEYOND R-4 SF RES	VACANT	0-5 DU AC







Development Ordinance

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

File #: DC-O-0020-25

Agenda Date: 5/20/2025

Agenda #: 12.D.

Zoning Petition ZONING-25-000014 Trauth

WHEREAS, a public hearing was held on April 30, 2025 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

WHEREAS, a petition was presented at this hearing requesting the following zoning relief:

Variation to reduce the interior side setback for a new deck from required 3 feet to approximately 2 feet, to replace an existing deck with a new deck in the same location, on the property hereinafter described:

PART OF SECTION 18, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE NORTHEAST CORNER OF SECTION 18; THENCE SOUTH 0 DEGREES 34 MINUTES EAST ON THE SECTION LINE 260.7 FEET TO AN IRON PIPE STAKE IN THE CENTER OF OLD PLANK ROAD; THENCE SOUTHWESTERLY IN THE CENTER OF OLD PLANK ROAD 565.7 FEET FOR A PLACE OF BEGINNING; THENCE SOUTHWESTERLY IN THE CENTER OF OLD PLANK ROAD 203.7 FEET TO AN IRON PIPE STAKE; THENCE NORTHEASTERLY 222.0 FEET TO A POINT 117.5 FEET EAST OF THE WESTERLY LINE OF THE WILLIAM A. SCHULTZ FARM; THENCE EAST 118 FEET TO AN IRON PIPE STAKE; THENCE SOUTHERLY 70.2 FEET TO A PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on May 7, 2025 does find as follows:

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 deck from required 3 feet to approximately 2 feet, to replace an existing deck with a new deck in the same location.
- B. That petitioner testified that he has owned and lived on the subject property for over forty-one (41) years.
- C. That petitioner testified that the existing deck is over forty-one (41) years old and needs to be replaced due to its current condition.
- D. That petitioner testified that he requires the subject zoning relief due to the angle of the existing house on the subject property, requiring a rear deck to be closer to the interior side property line.

- E. That petitioner testified that without a rear deck, there is no way to access the rear of his house due to elevation of the existing house.
- a. Furthermore, that the subject home has French doors that open up onto the rear deck and that they are unable to relocate the access from the home due to the elevation of the subject property and layout of the subject home.
- F. That the Zoning Hearing Officer finds that petitioner has demonstrated evidence for the subject zoning relief and has demonstrated evidence for a hardship in relation to the subject property.
- a. That petitioner demonstrated that he would replace the rear deck in the same location and size as the existing rear deck, which was constructed too close to the interior side property line.
- b. That petitioner demonstrated that the only way he can access the rear of the subject house is through the rear deck due to the elevation of the existing house.

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; and specifically, that 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 he is replacing the existing rear deck, which was originally constructed too close to the corner side property line and does 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 demonstrated** that he will obtain a building permit for the proposed new rear deck, and that it will be built pursuant to all building codes.
- c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that he is replacing the existing rear deck with a new deck and that the proposed construction 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 rear deck is located behind the front wall of the subject home and 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 demonstrated** that the proposed rear deck 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 rear deck will not incur additional 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 rear deck will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County and will be an added benefit to the surrounding area.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-25-000014 Trauth	
ZONING REQUEST	Variation to reduce the interior side setback for a new deck from required 3 feet to approximately 2 feet, to replace existing deck with a new deck in the same location.	
OWNER	EDWARD J & CHERYL TRAUTH, 1007 PLANK ROAD, NAPERVILLE, IL 60563	
ADDRESS/LOCATION	1007 PLANK ROAD, NAPERVILLE, IL 60563	
PIN	08-18-206-007	
TWSP./CTY. BD. DIST.	Lisle	District 5
ZONING/LUP	R-4 SF RES	0-5 DU AC
AREA	0.27 ACRES (11,761 SQ. FT.)	
UTILITIES	WELL/SEWER	
PUBLICATION DATE	Daily Herald: APRIL 15, 2025	
PUBLIC HEARING	WEDNESDAY, APRIL 30, 2025	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	No Comments Received.	
Health:	No Comments Received.	
Stormwater:	No Objections.	
Public Works:	"DPC Public Works doesn't own any sewer or water mains in the area."	
EXTERNAL:		
City of Naperville:	No Comments Received.	
Village of Lisle:	No Comments Received.	
Lisle Township:	No Comments Received.	
Township Highway:	No Comments Received.	
Naperville Fire Dist.:	No Comments Received.	
Sch. Dist. 203:	No Comments Received.	
Forest Preserve:	"Forest Preserve District staff have reviewed the information provided and do not have any comments."	

GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Rear Yard:	3 FT	APPROX. 2 FT	APPROX. 2 FT

LAND USE:

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	HOUSE	0-5 DU AC
North	R-4 SF RES	HOUSE	0-5 DU AC
South	PLANK ROAD AND BEYOND CITY OF NAPERVILLE	VACANT	0-5 DU AC
East	R-4 SF RES	VACANT	0-5 DU AC
West	UNIMPROVED ROW AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on May 7, 2025, recommends to approve the following zoning relief:

Variation to reduce the interior side setback for a new deck from required 3 feet to approximately 2 feet, to replace an existing deck with a new deck in the same location.

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-25-000014 Trauth** dated April 30, 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

WHEREAS, the County Board Development Committee on May 20, 2025, considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and recommends to approve the following zoning relief:

Variation to reduce the interior side setback for a new deck from required 3 feet to approximately 2 feet, to replace an existing deck with a new deck in the same location.

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-25-000014 Trauth** dated April 30, 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.

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

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County, Illinois that the following zoning relief be granted:

Variation to reduce the interior side setback for a new deck from required 3 feet to approximately 2 feet, to replace an existing deck with a new deck in the same location, on the property hereinafter described:

PART OF SECTION 18, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE NORTHEAST CORNER OF SECTION 18; THENCE SOUTH 0 DEGREES 34 MINUTES EAST ON THE SECTION LINE 260.7 FEET TO AN IRON PIPE STAKE IN THE CENTER OF OLD PLANK ROAD; THENCE SOUTHWESTERLY IN THE CENTER OF OLD PLANK ROAD 565.7 FEET FOR A PLACE OF BEGINNING; THENCE SOUTHWESTERLY IN THE CENTER OF OLD PLANK ROAD 203.7 FEET TO AN IRON PIPE STAKE; THENCE NORTHEASTERLY 222.0 FEET TO A POINT 117.5 FEET EAST OF THE WESTERLY LINE OF THE WILLIAM A. SCHULTZ FARM; THENCE EAST 118 FEET TO AN IRON PIPE STAKE; THENCE SOUTHERLY 70.2 FEET TO A PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS; and

The Zoning Relief is 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-25-000014 Trauth** dated April 30, 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.

BE IT FURTHER ORDAINED by the County Board of DuPage County, Illinois that should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid; and

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; EDWARD J & CHERYL TRAUTH, 1007 PLANK ROAD, NAPERVILLE, IL 60563; and Township Assessor, Lisle Township, 4721 Indiana Avenue, Lisle, IL 60532

Enacted and approved this 27th day of May, 2025 at Wheaton, Illinois.

DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest: _____

JEAN KACZMAREK, COUNTY CLERK



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: May 20, 2025

RE: **ZONING-25-000014 Trauth (Lisle/District 5)**

DuPage County Board: May 27, 2025:

Development Committee: May 20, 2025: The DuPage County Development Committee recommended to approve the following zoning relief:

Variation to reduce the interior side setback for a new deck from required 3 feet to approximately 2 feet, to replace an existing deck with a new deck in the same location.

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-25-000014 Trauth** dated April 30, 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.

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

Zoning Hearing Officer: May 7, 2025: The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to reduce the interior side setback for a new deck from required 3 feet to approximately 2 feet, to replace an existing deck with a new deck in the same location.



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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-25-000014 Trauth** dated April 30, 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 deck from required 3 feet to approximately 2 feet, to replace an existing deck with a new deck in the same location.
- B. That petitioner testified that he has owned and lived on the subject property for over forty-one (41) years.
- C. That petitioner testified that the existing deck is over forty-one (41) years old and needs to be replaced due to its current condition.
- D. That petitioner testified that he requires the subject zoning relief due to the angle of the existing house on the subject property, requiring a rear deck to be closer to the interior side property line.
- E. That petitioner testified that without a rear deck, there is no way to access the rear of his house due to elevation of the existing house.
 - a. Furthermore, that the subject home has French doors that open up onto the rear deck and that they are unable to relocate the access from the home due to the elevation of the subject property and layout of the subject home.
- F. That the Zoning Hearing Officer finds that petitioner has demonstrated evidence for the subject zoning relief and has demonstrated evidence for a hardship in relation to the subject property.
 - a. That petitioner demonstrated that he would replace the rear deck in the same location and size as the existing rear deck, which was constructed too close to the interior side property line.



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- b. That petitioner demonstrated that the only way he can access the rear of the subject house is through the rear deck due to the elevation of the existing house.

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; and specifically, that 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 he is replacing the existing rear deck, which was originally constructed too close to the corner side property line and does 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 demonstrated** that he will obtain a building permit for the proposed new rear deck, and that it will be built pursuant to all building codes.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that he is replacing the existing rear deck with a new deck and that the proposed construction 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 rear deck is located behind the front wall of the subject home and 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 demonstrated** that the proposed rear deck 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 rear deck will not incur additional 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 rear deck will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County and will be an added benefit to the surrounding area.



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PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION			
CASE #/PETITIONER	ZONING-25-000014 Trauth		
ZONING REQUEST	Variation to reduce the interior side setback for a new deck from required 3 feet to approximately 2 feet, to replace an existing deck with a new deck in the same location.		
OWNER	EDWARD J & CHERYL TRAUTH, 1007 PLANK ROAD, NAPERVILLE, IL 60563		
ADDRESS/LOCATION	1007 PLANK ROAD, NAPERVILLE, IL 60563		
PIN	08-18-206-007		
TWSP/CTY. BD. DIST.	Lisle	District 5	
ZONING/LUP	R-4 SF RES	0-5 DU AC	
AREA	0.27 ACRES (11,761 SQ. FT.)		
UTILITIES	WELL/SEWER		
PUBLICATION DATE	Daily Herald: APRIL 15, 2025		
PUBLIC HEARING	WEDNESDAY, APRIL 30, 2025		
ADDITIONAL INFORMATION:			
Building:	No Objections.		
DUDOT:	<i>No Comments Received.</i>		
Health:	<i>No Comments Received.</i>		
Stormwater:	No Objections.		
Public Works:	"DPC Public Works doesn't own any sewer or water mains in the area."		
EXTERNAL:			
City of Naperville:	<i>No Comments Received.</i>		
Village of Lisle:	<i>No Comments Received.</i>		
Lisle Township:	<i>No Comments Received.</i>		
Township Highway:	<i>No Comments Received.</i>		
Naperville Fire Dist.:	<i>No Comments Received.</i>		
Sch. Dist. 203:	<i>No Comments Received.</i>		
Forest Preserve:	"Forest Preserve District staff have reviewed the information provided and do not have any comments."		
GENERAL BULK REQUIREMENTS:			
REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Rear Yard:	3 FT	APPROX. 2 FT	APPROX. 2 FT



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LAND USE:

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	HOUSE	0-5 DU AC
North	R-4 SF RES	HOUSE	0-5 DU AC
South	PLANK ROAD AND BEYOND CITY OF NAPERVILLE	VACANT	0-5 DU AC
East	R-4 SF RES	VACANT	0-5 DU AC
West	UNIMPROVED ROW AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC



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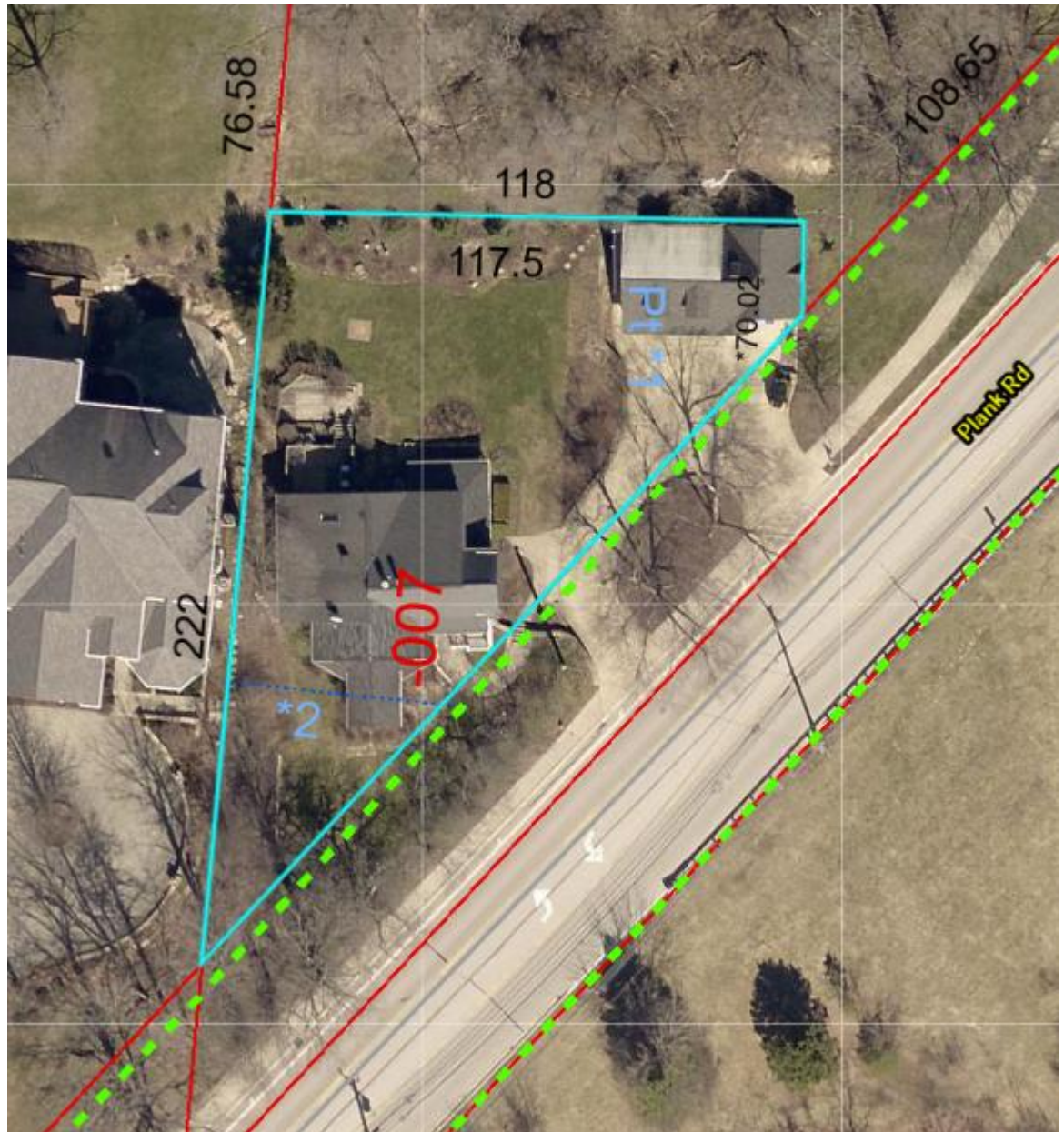


**DUPAGE
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BUILDING & ZONING DEPARTMENT

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Development Ordinance

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

File #: DC-O-0021-25

Agenda Date: 5/20/2025

Agenda #: 6.D.

Zoning Petition ZONING-25-000019 Saiz

WHEREAS, a public hearing was held on May 14, 2025 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

WHEREAS, a petition was presented at this hearing requesting the following zoning relief:

Variation to reduce the corner side yard setback for a new house on existing foundation from required 20 feet to approximately 10 feet, on the property hereinafter described:

LOT 12 IN BLOCK 9 IN DOWNERS GROVE GARDENS, BEING A SUBDIVISION IN SECTION 13, TOWNSHIP 38 NORTH, RANGE 10 AND SECTION 18, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1924 AS DOCUMENT 177390, IN DUPAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on May 14, 2025 does find as follows:

FINDINGS OF FACT:

- A. That petitioner testified that the home on the property suffered substantial fire damage and the Building Department has determined that the restoration of the home is considered a "new build." As such, in order for zoning to approve the permit application as a new building, the building must meet all current zoning bulk requirements.
- B. That petitioner testified that the existing foundation on the existing house is located 10 feet from the corner side property line and within the corner side yard setback where the Zoning Code requires the setback be 20 feet.
- C. That petitioner testified that the subject zoning relief is for a variation to reduce the corner side setback from the required 20 feet to approximately 10 feet to allow petitioner to continue on with the restoration of the fire damaged homes as a new build per the Building Code.

STANDARDS FOR VARIATIONS:

1. That the Zoning Hearing Officer finds that 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; and specifically, that 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 development is technically a "new build" but in actuality is the fire restoration of an existing home that has been located approximately 10 feet from the corner side property line for approximately 70 years, in which the home was originally constructed within the required 20 foot corner side setback and does 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 demonstrated** that he will obtain a building permit for the proposed fire restoration, and that the restoration will be pursuant to all building codes.
- c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the zoning relief will enable him to continue fire restoration on an existing home that has been located approximately 10 feet from the corner side property line for approximately 70 years, which was originally constructed within the required 20 foot corner side setback
- d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the fire restoration is for the interior of the existing building where the building has existed for approximately 70 years in the same location as proposed in the current development and 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 demonstrated** that the proposed fire restoration will not increase the potential for flood damages to adjacent property as the development does not extend the existing footprint of the fire damaged home.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the proposed fire restoration will not incur additional expense for flood protection, rescue, or relief as the development does not extend the existing footprint of the fire damaged home and will be restored to all other count codes.
- 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 fire restoration of the home will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County and will be an added benefit to the surrounding area and will permit the owner to complete the fire damaged building which is currently unfinished and open to the elements and in disrepair.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-25-000019 Saiz	
ZONING REQUEST	Variation to reduce the corner side yard setback for house on existing foundation from required 20 feet to approximately 10 feet.	
OWNER	NICHOLAS & KELLI SAIZ, 2200 59 TH STREET, DOWNERS GROVE, IL 60516-1168/AGENT: RYAN RIGGS, LEO EXTERIOR RESTORATION, 18 S LINCOLNWAY STREET, NORTH AURORA, IL 60164	
ADDRESS/LOCATION	2200 59 TH STREET, DOWNERS GROVE, IL 60516	
PIN	08-13-212-026	
TWSP./CTY. BD. DIST.	LISLE	DISTRICT 2
ZONING/LUP	R-4 SF DIST	0-5 DU AC
AREA	0.34 ACRES (14,810 SQ. FT.)	
UTILITIES	WATER/SEPTIC	
PUBLICATION DATE	Daily Herald: April 29, 2025	
PUBLIC HEARING	WEDNESDAY, MAY 14, 2025	
<u>ADDITIONAL INFORMATION:</u>		
Building:	No Objection.	
DUDOT:	Our office has no jurisdiction.	
Health:	<i>No Comments Received.</i>	
Stormwater:	Our office has no jurisdiction.	
Public Works:	"DPC Public Works doesn't own any sewer or water mains in the area."	
EXTERNAL:		
Village of Downers Grove:	Objects. (See attached documentation)	
Village of Woodridge:	<i>No Comments Received.</i>	
Village of Lisle:	Our office has no jurisdiction in this matter. "The subject property is outside of Lisle's boundary agreement."	
Lisle Township:	<i>No Comments Received.</i>	
Township Highway:	No Objection.	
Darien-Woodridge Fire District:	<i>No Comments Received.</i>	
Sch. Dist. 58:	<i>No Comments Received.</i>	
Sch. Dist. 99:	<i>No Comments Received.</i>	
Forest Preserve:	<i>No Comments Received.</i>	

GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Corner Yard:	20 FT	APPROX. 10 FT	APPROX 10 FT

LAND USE:

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	HOUSE	0-5 DU AC
North	R-4 SF RES	HOUSE	0-5 DU AC
South	59 TH STREET AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
East	PERSHING AVENUE AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
West	R-4 SF RES	HOUSE	0-5 DU AC

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on May 14, 2025, recommends to approve the following zoning relief:

Variation to reduce the corner side yard setback for a new house on existing foundation from required 20 feet to approximately 10 feet.

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-25-000019 Saiz** dated May 14, 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

WHEREAS, the County Board Development Committee on May 20, 2025, considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and recommends to approve the following zoning relief:

Variation to reduce the corner side yard setback for a new house on existing foundation from required 20 feet to

approximately 10 feet.

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-25-000019 Saiz** dated May 14, 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.

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

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County, Illinois that the following zoning relief be granted:

Variation to reduce the corner side yard setback for a new house on existing foundation from required 20 feet to approximately 10 feet, on the property hereinafter described:

LOT 12 IN BLOCK 9 IN DOWNERS GROVE GARDENS, BEING A SUBDIVISION IN SECTION 13, TOWNSHIP 38 NORTH, RANGE 10 AND SECTION 18, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1924 AS DOCUMENT 177390, IN DUPAGE COUNTY, ILLINOIS; and

The Zoning Relief is 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-25-000019 Saiz** dated May 14, 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.

BE IT FURTHER ORDAINED by the County Board of DuPage County, Illinois that should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid; and

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; NICHOLAS & KELLI SAIZ, 2200 59TH STREET, DOWNERS GROVE, IL 60516-1168/AGENT: RYAN RIGGS, LEO EXTERIOR RESTORATION, 18 S LINCOLNWAY STREET, NORTH AURORA, IL 60542; and Township Assessor, Lisle Township, 4721 Indiana Avenue, Lisle, IL 60532

Enacted and approved this 27th day of May, 2025 at Wheaton, Illinois.

DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest: _____

JEAN KACZMAREK, COUNTY CLERK



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: May 20, 2025

RE: **ZONING-25-000019 Saiz (Lisle/District 2)**

DuPage County Board: May 27, 2025:

Development Committee: May 20, 2025: The DuPage County Development Committee recommended to approve the following zoning relief:

Variation to reduce the corner side yard setback for a new house on existing foundation from required 20 feet to approximately 10 feet.

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-25-000019 Saiz** dated May 14, 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.

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

Zoning Hearing Officer: May 14, 2025: The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to reduce the corner side yard setback for a new house on existing foundation from required 20 feet to approximately 10 feet.

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-25-000019 Saiz** dated May 14, 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 home on the property suffered substantial fire damage and the Building Department has determined that the restoration of the home is considered a “new build.” As such, in order for zoning to approve the permit application as a new building, the building must meet all current zoning bulk requirements.
- B. That petitioner testified that the existing foundation on the existing house is located 10 feet from the corner side property line and within the corner side yard setback where the Zoning Code requires the setback be 20 feet.
- C. That petitioner testified that the subject zoning relief is for a variation to reduce the corner side setback from the required 20 feet to approximately 10 feet to allow petitioner to continue on with the restoration of the fire damaged homes as a new build per the Building Code.

STANDARDS FOR VARIATIONS:

1. That the Zoning Hearing Officer finds that 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; and specifically, that 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 development is technically a “new build” but in actuality is the fire restoration of an existing home that has been located approximately 10 feet from the corner side property line for approximately 70 years, in which the home was originally constructed within the required 20 foot corner side setback and does 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 demonstrated** that he will obtain a building permit for the proposed fire restoration, and that the restoration will be pursuant to all building codes.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the zoning relief will enable him to continue fire restoration on an existing home that has been located approximately 10 feet from the corner side property line for approximately 70 years, which was originally constructed within the required 20 foot corner side setback
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the fire restoration is for the interior of the existing building where the building has existed for approximately 70 years in the same location as proposed in the current development and 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 demonstrated** that the proposed fire restoration will not increase the potential for flood damages to adjacent property as the development does not extend the existing footprint of the fire damaged home.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the proposed fire restoration will not incur additional expense for flood protection, rescue, or relief as the development does not extend the existing footprint of the fire damaged home and will be restored to all other count codes.
- 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 fire restoration of the home will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County and will be an added benefit to the surrounding area and will permit the owner to complete the fire damaged building which is currently unfinished and open to the elements and in disrepair.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-25-000019 Saiz	
ZONING REQUEST	Variation to reduce the corner side yard setback for a new house on existing foundation from required 20 feet to approximately 10 feet.	
OWNER	NICHOLAS & KELLI SAIZ, 2200 59 TH STREET, DOWNERS GROVE, IL 60516-1168/AGENT: RYAN RIGGS, LEO EXTERIOR RESTORATION, 18 S LINCOLNWAY STREET, NORTH AURORA, IL 60542	
ADDRESS/LOCATION	2200 59 TH STREET, DOWNERS GROVE, IL 60516-1168	
PIN	08-13-212-026	
TWSP./CTY. BD. DIST.	LISLE	DISTRICT 2
ZONING/LUP	R-4 SF DIST	0-5 DU AC
AREA	0.34 ACRES (14,810 SQ. FT.)	
UTILITIES	WATER/SEPTIC	
PUBLICATION DATE	Daily Herald: April 29, 2025	
PUBLIC HEARING	WEDNESDAY, MAY 14, 2025	
ADDITIONAL INFORMATION:		
Building:	No Objection.	
DUDOT:	Our office has no jurisdiction.	
Health:	No Comments Received.	
Stormwater:	Our office has no jurisdiction.	
Public Works:	“DPC Public Works doesn’t own any sewer or water mains in the area.”	
EXTERNAL:		
Village of Downers Grove:	Objects. (See attached documentation)	
Village of Woodridge:	No Comments Received.	

Village of Lisle:	Our office has no jurisdiction in this matter. “The subject property is outside of the Village of Lisle’s boundary agreement.”
Lisle Township:	<i>No Comments Received.</i>
Township Highway:	No Objection.
Darien-Woodridge Fire Dist.:	<i>No Comments Received.</i>
Sch. Dist. 58:	<i>No Comments Received.</i>
Sch. Dist. 99:	<i>No Comments Received.</i>
Forest Preserve:	<i>No Comments Received.</i>

GENERAL BULK REQUIREMENTS:

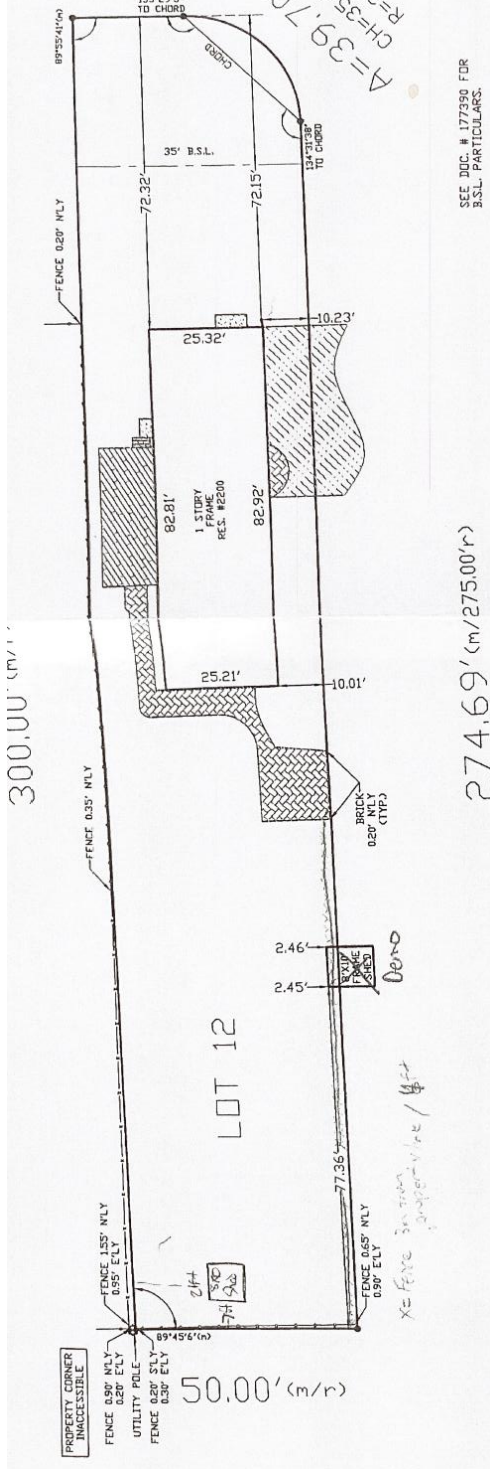
REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Corner Yard:	20 FT	APPROX. 10 FT	APPROX 10 FT

LAND USE:

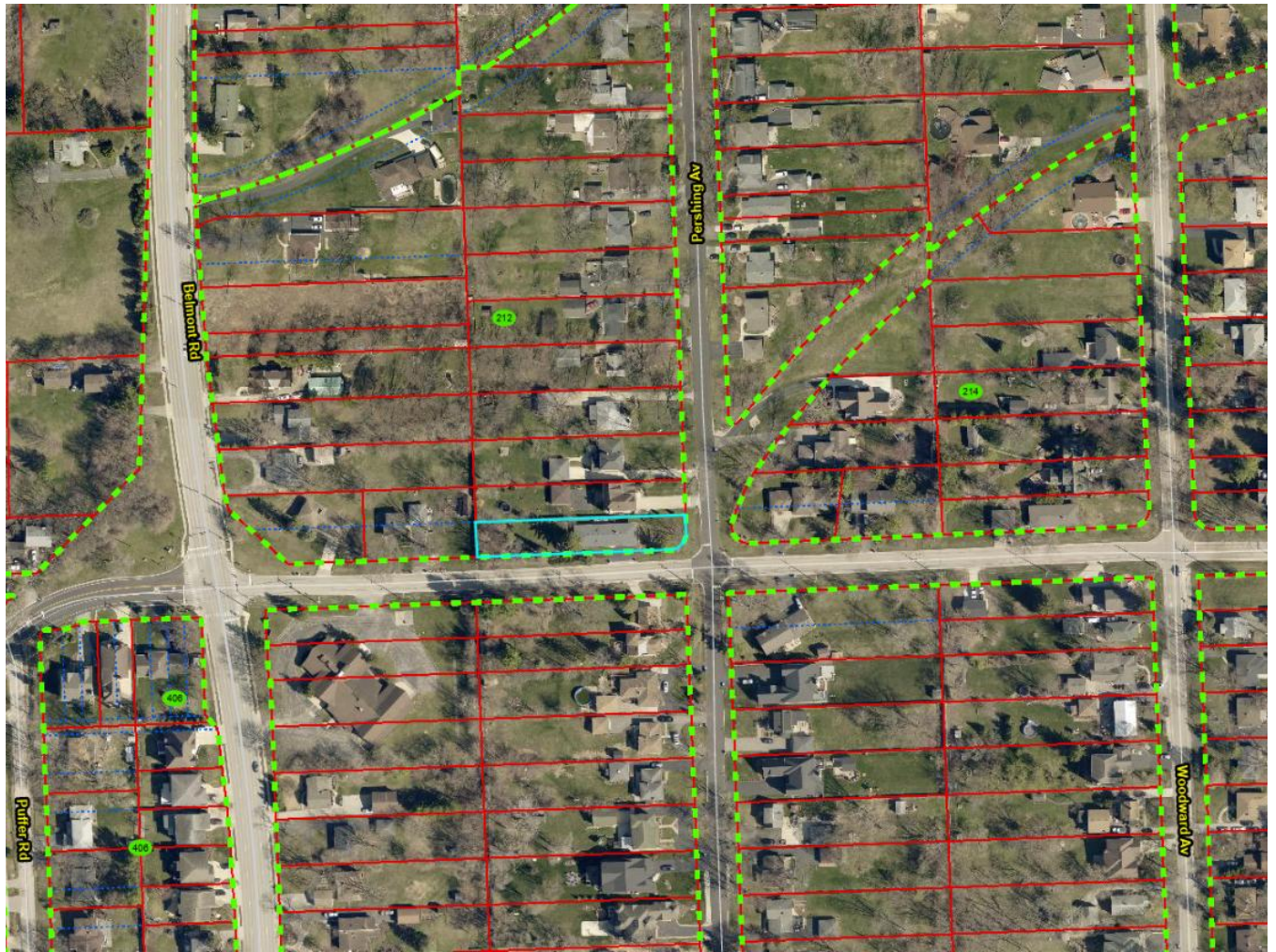
Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	HOUSE	0-5 DU AC
North	R-4 SF RES	HOUSE	0-5 DU AC
South	59 TH STREET AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
East	PERSHING AVENUE AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
West	R-4 SF RES	HOUSE	0-5 DU AC

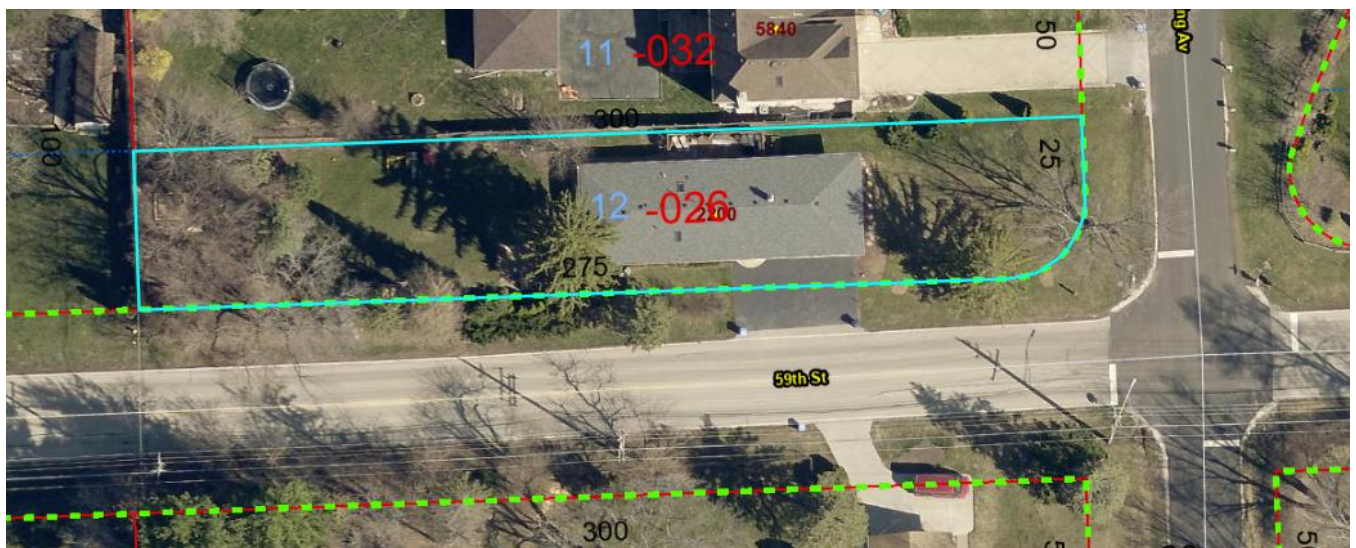
SHING AVENUE

25.00' (m/r)



SEE DOC. # 177390 FOR B.S.L. PARTICULARS.







**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

DU PAGE COUNTY ZONING HEARING OFFICER PROGRAM ZONING-25-000019 Saiz

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 May 13, 2025.

COMMENT SECTION:	
<input type="checkbox"/> : OUR OFFICE HAS NO JURISDICTION IN THIS MATTER	
<input type="checkbox"/> : NO OBJECTION/CONCERNS WITH THE PETITION	
<input type="checkbox"/> : 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: Please see the attached.	
SIGNATURE:	DATE: 5/8/25
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT:	
GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-25-000019 Saiz
ZONING REQUEST	Variation to reduce the corner side yard setback for a new house on existing foundation from required 20 feet to approximately 10 feet.
OWNER	NICHOLAS & KELLI SAIZ, 2200 59 TH STREET, DOWNERS GROVE, IL 60516-1168/AGENT: RYAN RIGGS, LEO EXTERIOR RESTORATION, 18 S LINCOLNWAY STREET, NORTH AURORA, IL 60542
ADDRESS/LOCATION	2200 59 TH STREET, DOWNERS GROVE, IL 60516-1168
PIN	08-13-212-026
TWSP./CTY. BD. DIST.	LISLE DISTRICT 2
ZONING/LUP	R-4 SF DIST 0-5 DU AC
AREA	0.34 ACRES (14,810 SQ. FT.)
UTILITIES	WATER/SEPTIC
PUBLICATION DATE	Daily Herald: April 29, 2025
PUBLIC HEARING	WEDNESDAY, MAY 14, 2025

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



downers.us

CIVIC CENTER

850 Curtiss St.
Downers Grove, IL
60515-4761

MAIN 630.434.5500
POLICE 630.434.5600

FIRE DEPT

Administration
5420 Main St.
Downers Grove, IL
60515-4834

630.434.5980

PUBLIC WORKS

5101 Walnut Ave.
Downers Grove, IL
60515-4046

630.434.5460

May 8, 2025

Jessica Infelise Datzman, AICP
DuPage County Building and Zoning Department
421 North County Farm Road
Wheaton, IL 60187

Re: ZONING-25-000019 Saiz
PIN 08-13-212-026
Address 2200 59th Street, Downers Grove, IL 60516

Staff has had the opportunity to review the case for the property located at 2200 59th Street. The Village of Downers Grove has an opinion in this matter because of the subject property's close proximity to the municipal boundary, and location within the Village's planning area. The site is in unincorporated DuPage County and is classified as R-4 Single Family Residence District by the County's zoning ordinance. The petitioner is proposing a variance in order to:

1. Reduce the corner side yard setback for a new house on existing foundation from required 20 feet to approximately 10 feet.

No summary was provided to determine the specifics of the proposed project, beyond the proposed site plan. If a variance is being requested for this case, no evidence of meeting the required standards was provided. Staff has the following comments and concerns:

1. Village Ordinance Sec 28.14.100(a)(1) Setbacks states that on corner lots, street setbacks apply along both streets, but applicable street setback requirements may be reduced along one of the street frontages if necessary to allow a building width of thirty feet (30'). It appears that a new home could accommodate this requirement, which offers certain corner lots the ability to place a home at a reduced setback, but not to the extent that the petitioner is requesting from the County. The Village has several 50 foot wide corner lots that can accommodate a new home meeting the zoning requirement listed above.

The Village of Downers Grove does not recommend approval of the improvements as they would not meet the Village requirements as stated above. The Village of Downers Grove asks DuPage County to deny the request since the improvements would vary from the existing characteristics of the immediate neighborhood and zoning districts. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Jason Zawila, AICP
Planning Manager
Community Development Department

Cc: Stan Popovich, Community Development Director



Development Resolution

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

File #: DC-R-0002-25

Agenda Date: 5/20/2025

Agenda #: 6.E.

DECLARATION OF SURPLUS PROPERTY

22W146 HILLCREST TERRACE, MEDINAH (PIN: 02-11-412-011)

WHEREAS, the Illinois General Assembly has granted the County of DuPage ("COUNTY") authority to acquire unsafe and abandoned structures pursuant Illinois Compiled Statutes, Chapter 55, paragraph 55 ILCS 5/5-1121; and

WHEREAS, pursuant to said authority via the County Neighborhood Revitalization Program (aka Clean and Lien), through a settlement agreement with the trustees for the estate of the property located at 22W146 Hillcrest Terrace, Medinah (PIN: 02-11-412-011) ("Subject Property"); the COUNTY acquired title to the Subject Property; and

WHEREAS, the COUNTY now owns and maintains the Subject Property legally described as follows:

LEGAL DESCRIPTION

**LOT 104 IN BRANIGAR'S MEDINAH SPRING VALLEY UNIT NO. 2, BEING A
SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 11 AND PART
OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 40 NORTH, RANGE
10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT
THEREOF RECORDED SEPTEMBER 16, 1954 AS DOCUMENT 730223 IN DUPAGE
COUNTY, ILLINOIS.**

WHEREAS, as part of the County Neighborhood Revitalization Program (aka Clean and Lien), the COUNTY will begin to demolish the dilapidated, unsafe and abandoned structures on the Subject Property and will satisfy the demolition requirements of the DuPage County Building Code; and

WHEREAS, once the COUNTY has completed the demolition and restoration of the Subject Property the COUNTY will ensure the suitability for purchase and redevelopment of the Subject Property as a Single Family Residential Property pursuant to the County Land Use Plan and Zoning Ordinance; and

WHEREAS, the COUNTY has determined that the COUNTY'S continued ownership, use and occupancy of the Subject Property is not necessary; and

WHEREAS, it is in the COUNTY's best interests, and the best interests of the COUNTY's residents, that the COUNTY dispose of the Subject Property as surplus; and

WHEREAS, it is the best interests of the COUNTY and the best interest of the COUNTY'S residents to deposit all sale funds therefrom in the DuPage County Building and Zoning Department Affordable Housing and Housing Solutions Fund.

NOW, THEREFORE, BE IT RESOLVED, that the Subject Property is hereby declared surplus real estate by the County Board and the COUNTY is authorized to dispose of said surplus real estate in any manner authorized by State law and County Ordinance; and

BE IT FURTHER RESOLVED, that the Chair of the County Board, the County Building and Zoning Department and the State's Attorney Office are hereby authorized to perform all lawful acts necessary and prudent to dispose of the surplus Subject Property by any manner that obtains the best value for the COUNTY, with the sale funds therefrom being deposited in the DuPage County Building and Zoning Department Affordable Housing and Housing Solutions Fund; and

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Building and Zoning; State's Attorney's Office.

Enacted and approved this 27th day of May, 2025 at Wheaton, Illinois.

DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest: _____

JEAN KACZMAREK, COUNTY CLERK