



DU PAGE COUNTY

Development Committee

Final Regular Meeting Agenda

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

Tuesday, August 19, 2025

10:30 AM

Room 3500B

1. CALL TO ORDER

2. ROLL CALL

3. CHAIRMAN'S REMARKS- CHAIR TORNATORE

4. PUBLIC COMMENT

5. MINUTES APPROVAL

5.A. [25-1694](#)

Development Committee - Regular Meeting - July 1, 2025

6. REGULATORY SERVICES

6.A. [DC-R-0004-25](#)

ZSE-25-000003 MERIT SWAT Exercise: To approve the special event action item: DuPage Metropolitan Emergency Response and Investigation Team (MERIT) SWAT exercise at County-owned Clean and Lien property located at 22W146 HILLCREST TERRACE, MEDINAH, IL 60157. Generally, for not more than two (2) days between 8/27/25 and 9/26/25. (Bloomington/District 1) (Generally located northeast of Acacia Lane and Hillcrest Terrace, on the north side of Hillcrest Terrace)

6.B. [DC-O-0029-25](#)

ZONING-25-000023 – Sleiman: The Zoning Hearing Officer recommended to deny the following zoning relief:

1. Variation to reduce the interior side setback for a chicken coop from required 25 feet to approximately 3 feet for an existing chicken coop.

2. Variation to reduce the rear setback for a chicken coop from required 25 feet to approximately 3 feet for an existing chicken coop. (Lisle/District 5) (Generally located southeast of Plank Road and Tuthill Road, on the east side of Tuthill Road)

ZHO Recommendation to Deny

6.C. [DC-O-0030-25](#)

ZONING-25-000034 – Northwestern Marianjoy Rehabilitation Hospital: The Zoning Hearing Officer recommended to approve the following zoning relief:

1. Variation to increase the height of a proposed monument sign from permitted 6 feet to approximately 13 feet 11 inches.
2. Variation to allow two signs on the subject property (a one-sided masonry monument sign and a two-sided monument sign).
3. Variation to increase the total permitted copy area for two monument signs from 48 sq. ft. to approximately 50 sq. ft. (Milton/District 6) (Located south of Roosevelt Road and Community Drive)

ZHO Recommendation to Approve

6.D. [DC-O-0031-25](#)

ZONING-25-000035 – Hanna’s – Wheaton, LLC.: The Zoning Board of Appeals recommended to deny the following zoning relief:

1. Conditional Use to allow a video gaming cafe restaurant in a B-1 Local Business Zoning District.
2. Variation to allow a video gaming café restaurant to be located less than 1,000 feet from a place of assembly use. (Milton/District 4) (Located at the southwest corner of Geneva Road and Pleasant Hill Road)

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

6.E. [DC-O-0032-25](#)

ZONING-25-000037 – Kesik: The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to reduce the interior side setback for a new detached garage from required 9 feet to approximately 1.25 feet (replacing previous detached garage of over 20 years with a new detached garage on existing concrete slab). (Lisle/District 2) (Generally located northwest of Kohley Road and Essex Road, on the west side of Essex Road)

ZHO Recommendation to Approve

7. **OLD BUSINESS**8. **NEW BUSINESS**9. **ADJOURNMENT**



Development Ordinance

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

File #: 25-1694

Agenda Date: 8/19/2025

Agenda #: 5.A.



DU PAGE COUNTY

Development Committee

Final Summary

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

Tuesday, July 1, 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

Member Covert arrived at 10:34 AM

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

3. CHAIRMAN'S REMARKS- CHAIR TORNATORE

No remarks were offered.

4. PUBLIC COMMENT

No public comments were offered.

5. MINUTES APPROVAL

5.A. [25-1624](#)

Development Committee - Regular Meeting - June 17, 2025

Attachments: [Final Meeting Minutes Summary 6-17-2025.pdf](#)

RESULT:	APPROVED
MOVER:	Brian Krajewski
SECONDER:	Yeena Yoo
AYES:	Krajewski, Ozog, Rutledge, Tornatore, and Yoo
ABSENT:	Covert

6. REGULATORY SERVICES

6.A. [DC-O-0026-25](#)

ZONING-25-000022 – ORDINANCE – Perez: To approve the following zoning relief:
Rezoning from B-1 Local Business to R-4 Single Family Residential. (Addison/District
1)

ZHO Recommendation to Approve

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

Attachments: [Z-25-000022 Perez Cty. Bd. \(07-08-2025\)_Redacted.pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Yeena Yoo
SECONDER:	Brian Krajewski
AYES:	Krajewski, Ozog, Rutledge, Tornatore, and Yoo
LATE:	Covert

6.B. [DC-O-0027-25](#)

ZONING-25-000026 – ORDINANCE – Fawell: To approve the following zoning relief:

1. Variation to allow a detached accessory building (proposed shed) in front of the front wall of the existing home.
2. Variation to reduce the interior side yard for a new shed from required 10 feet to approximately 3 feet. (Winfield/District 6)

ZHO Recommendation to Approve

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

Attachments: [Z-25-000026 Fawell Cty. Bd. \(07-08-2025\).pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Brian Krajewski
SECONDER:	Yeena Yoo
AYES:	Krajewski, Ozog, Rutledge, Tornatore, and Yoo
LATE:	Covert

6.C. [DC-O-0028-25](#)

ZONING-25-000031 – ORDINANCE – Blachuciak: To approve the following zoning relief:

Variation to increase the height of a new fence in the rear yard from permitted 6’6” to approximately 8’. (Downers Grove/District 3)

ZHO Recommendation to Approve

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

Attachments: [Z-25-000031 Blachuciak Cty. Bd. \(07-08-2025\)_Redacted.pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Brian Krajewski
SECONDER:	Yeena Yoo
AYES:	Krajewski, Ozog, Rutledge, Tornatore, and Yoo
LATE:	Covert

6.D. [25-1625](#)

T-5-25 PROPOSED TEXT AMENDMENTS TO THE COUNTY ZONING ORDINANCE RELATIVE TO SHORT TERM RENTALS OF A RESIDENTIAL DWELLING UNIT. Action item: Request to send to ZBA for public hearing.

Jessica Infelise Datzman, Zoning Administration Coordinator explained to the Committee that short term rentals (30 days or less) are currently prohibited. This text amendment will help regulate these rentals and curtail issues with large parties. Based on existing single family residential codes, they would allow no more than five unrelated people at the home, unless they obtain special event approval. There will be a annual registration fee and inspections will be conducted by the County. There was some discussion about the number of people being allowed at rental properties. Chair Tornatore reminded the Committee that the approval vote will send the item to the Zoning Board of Appeals for a public hearing.

Attachments: [T-5-25 TEXT AMENDMENT DEV.COM. \(06-25-25\).pdf](#)

RESULT:	APPROVED
MOVER:	Brian Krajewski
SECONDER:	Yeena Yoo
AYES:	Covert, Krajewski, Ozog, Rutledge, Tornatore, and Yoo

7. **PRESENTATION**

7.A. [25-1626](#)

Building & Zoning Department FY2026 Budget Presentation

Jim Stran, Building and Zoning Manager covered the Department Summary and recapped the current numbers compared to the last five years. He told the Committee that Building and Zoning operates from a enterprise fund. He added that they are coming out of their slowest season and numbers should increase significantly over the next four months. He shared the 2026 revenue projections and expenditures. He explained that expenditures have increased due to personnel additions and a three year prepayment for Accela software for his department along with Stormwater, Public Works and DuDot, which will be reimbursing Building and Zoning.

8. **OLD BUSINESS**

No old business was discussed.

9. **NEW BUSINESS**

No new business was discussed.

10. ADJOURNMENT

With no further business, the meeting was adjourned at 11:06 AM



Development Resolution

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

File #: DC-R-0004-25

Agenda Date: 8/19/2025

Agenda #: 6.A.

RESOLUTION TO APPROVE A PROPERTY USE AND HOLD HARMLESS AGREEMENT WITH THE DUPAGE COUNTY METROPOLITAN EMERGENCY RESPONSE AND INVESTIGATIONS TEAM FOR USE OF COUNTY PROPERTY FOR SPECIAL WEAPONS AND TACTICS TRAINING

WHEREAS, the County of DuPage (“COUNTY”) is a body corporate and politic entity duly organized and existing pursuant to the authority conferred upon counties by the Illinois State Constitution and Illinois General Assembly; and

WHEREAS, the County of DuPage, acting pursuant to authority granted by the Illinois General Assembly in the Illinois Compiled Statutes, 55 ILCS 5/5-1005 *et seq.*, owns, operates, and maintains several condemned properties throughout the County and is authorized to make contracts and do all other acts in relation to the property and concerns of the County; and

WHEREAS, the DuPage County Metropolitan Emergency Response and Investigations Team (Metro SWAT), has requested the use of a County owned condemned property, located at **22W146 HILLCREST TERRACE MEDINAH IL 60157, (PIN 0211412011)** (hereinafter the “Property”), for purposes of conducting Special Weapons and Tactics (“SWAT”) training; and

WHEREAS, the Development Committee recommends approval of the attached Property Use and Hold Harmless Agreement, (Exhibit A) that grants Metro SWAT permission to enter upon and use the aforementioned Property for SWAT Training.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the Property Use and Hold Harmless Agreement, attached hereto as Exhibit A, be approved and accepted, and the Director of Public Works is hereby authorized and directed to execute such Property Use and Hold Harmless Agreement on behalf of the County of DuPage; and

BE IT FURTHER RESOLVED that the County Clerk is hereby directed to transmit copies of this Resolution and the executed Property Use and Hold Harmless Agreement to: DuPage County Public Works, 421 N. County Farm Road, Wheaton, IL 60187; and DuPage County Metropolitan Emergency Response and Investigations Team, C/O Deputy Chief Austin Jump, 1710 Plainfield Road Darien, Il 60561

Enacted and approved this 26th day of August, 2025 at Wheaton, Illinois.

DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest: _____

JEAN KACZMAREK, COUNTY CLERK

PROPERTY USE AND HOLD HARMLESS AGREEMENT

The County of DuPage (hereinafter referred to as the “Grantor”), in entering into this agreement (the “Agreement”), hereby grants to the DuPage County Metropolitan Emergency Response and Investigations Team – Metro SWAT and its representatives, employees, contractors, officers, and agents (hereinafter collectively referred to as “Grantee”), and such other parties as it may authorize or designate, permission to enter upon, use, and by means of film, tape, videotape or any other method, to photograph the Property located at **22W146 HILLCREST TERRACE MEDINAH IL 60157, (PIN 0211412011)** (hereinafter referred to as the “Property”), including the interiors and exteriors of all buildings, improvements, and structures thereon and the contents thereof, in connection with the training of law enforcement officers, including but not limited to the training of Special Weapons and Tactics (“SWAT”) officers (hereinafter the “Training”), which permission includes the right to bring and utilize thereon personnel, personal property, materials, and equipment, including but not limited to protective gear, breaching tools, and tactical support items. This Agreement constitutes a license by Grantor to the Grantee exclusively for the purposes stated herein, and no other use. The rights and obligations established herein shall be for the sole benefit of the Grantee and shall not be sold, transferred, conveyed, assigned or signed over to any other party, other than as permitted hereunder.

1. The above permission is granted for one or more days as may be necessary, commencing no earlier than **August 27, 2025**. The permission herein granted shall include permission to re-enter the Property for the purpose of conducting additional Training Sessions through and including **September 26, 2025**. The Grantee shall have a supervisory employee(s) present at the Property whenever its representatives, employees, contractors, officers, and agents are present thereon.

2. Grantee, its successors, assigns and licensees shall own all rights of every kind in and to all video and sound recordings, motion pictures or photographs made, recorded and/or developed in and about the Property, including the right to use, distribute, broadcast, and exhibit such recordings, motion pictures or other photographs in any and all media now known or hereafter devised or discovered, throughout the world in perpetuity, including, without limitation, in, and in connection with, any advertising, promotion, publicity or other material relating to the Training, including the irrevocable right to use any such recordings, motion pictures or other photographs of the said premises and Property without further payment or permission of any kind.

3. Grantee shall at all times, to the extent permitted by law, fully indemnify, hold harmless, and defend the Grantor and its officers, agents, and employees from and against any and all claims and demands, actions, causes of action, and cost and fees of any character whatsoever made by anyone whomsoever on account of or in any way growing out of the Grantee’s presence upon and/or use of the Property, including but not limited to the acts or omissions of Grantee and its representatives, employees, contractors, officers, agents, and designee(s), and including but not limited to any claims that may be made by any of the aforementioned parties themselves for injuries to their person or property or otherwise. Such indemnity shall not be limited by reason of the enumeration of any insurance coverage or bond herein provided. Grantee shall provide Grantor, prior to its entry onto the Property, a certificate of insurance for commercial general and excess/umbrella liability insurance with combined limits of Three Million Dollars (\$3,000,000) adding Grantor as an additional insured party thereon, as well as Worker’s Compensation Insurance in the statutory amounts. Grantor shall issue a certificate, endorsements or other documentation evidencing said insurance coverage. Nothing contained herein shall be construed as prohibiting the Grantor, its officers, agents, or its employees, from defending through the selection and use of their own agents, attorneys and experts, any claims, actions or suits brought against them. The Grantee shall likewise be liable for the cost, fees and expenses incurred in the defense of any such claims, actions, or suits. The Grantor does not waive its defenses or immunities under the Local Government and Governmental Employees Tort Immunity Act, 745 ILCS 10/1 *et seq.*, by reason of indemnification or insurance.

4. Grantee assumes all risks and further waives, releases and discharges the Grantor (as property owner), together with the Grantor's elected officials, employees and agents (individually and collectively the "Indemnities"), from and against all loss and liability including all, suits, proceedings, debts, claims, demands, causes of action and costs whatsoever, for any death, injury damage or loss, to person or property that may result from, or arise out of, the Grantee's entry onto or use of the Property. Grantee acknowledges that the Property is currently condemned and in a state of disrepair. The Property is not designed, nor intended, for the Grantee's intended use for Training. Because of the physical nature and characteristics of the Property the Property contains inherently dangerous features that the Grantor cannot protect against, which can cause injury, death or damage to property. The Property's state of disrepair may cause shifting, sagging, splintering, or breaking of structural and non-structural components which are capable of causing injury, death or damage. The Property may not be watertight, and water leaking into the property may cause the ground surfaces at the Property to be, in many places, rough, uneven, covered with loose debris, snow and ice (during colder months) and, or, wet and, as such, are especially slippery. The poor flooring conditions within the Property may provide poor footing. These conditions, as well as any other condition which may exist in a condemned residential property, may or may not be readily apparent upon visual inspection. Accordingly, such conditions present a serious risk of harm. Grantee acknowledges that its entry onto the Property will expose it to the dangers associated with the Property, and still desiring entry onto the Property, agrees to fully assume such risks on behalf of its representatives, employees, contractors, agents, officers, vendors and such other parties as it may authorize or grant permission to enter upon or use the Property. Grantee further agrees to inform each of its representatives, employees, contractors, agents, officers, vendors and such other parties it may direct or allow to enter upon and, or, to use the Property, of the foregoing risks and hazards. In addition, the Grantee hereby assumes the risks of the hazards of entering upon the Property and to further waives, releases and discharges the Grantor, its elected officials, employees and agents from and against all liability including all, suits, proceedings, debts, claims, demands, causes of action and costs whatsoever, for any death, injury, damage or loss, to person or property that may result from, or arise out of, the Grantee's entry, use of, or presence on or about the above-described Property. The foregoing liability waiver, together with the indemnification clause above, is intended to protect the Grantor's interests to the fullest extent possible under the law and, therefore, this Property Use and Hold Harmless Agreement shall be broadly construed in favor of the Grantor in the event of any injury death, loss or damage.

5. Grantee agrees to immediately evacuate the Property, and remove all of its personnel, personal property, materials, and equipment, in the event the Grantor requires the use of the Property. The Grantor's decision to utilize the Property shall be at the Grantor's sole discretion and operate as an immediate, but temporary, cessation of the Grantee's license. The Grantee's rights and remedies in the event the Grantor's use of the Property disrupts or delays the Grantee's use thereof shall be limited to Grantor allowing Grantee's use of the Property, subject to the same terms and conditions set forth in this Agreement, on such alternate dates and times when the Property is not being used. If the Grantor must utilize the Property, the Grantee shall have no right of action against the Grantor for any costs associated with evacuating the Property, delays using the Property or relocation to any new or substitute Training site, nor for the loss of use of the Property, nor for any other damages resulting from such disruption or delay, including consequential damages. Notwithstanding the foregoing, the breach, revocation, cessation, delay, or cancellation of this Agreement shall not affect Grantee's rights with respect to any photographs, films and recordings already made.

6. After Grantee has completed its use of the Property, in no event later than September 27, 2025, it shall promptly vacate the Property.

7. Grantee acknowledges and agrees that it is not an employee, agent or contractor of the Grantor, rather, is executing this Property Use and Hold Harmless Agreement as an independent third-party seeking to utilize and access the Property for the purposes described herein.

8. Any controversy or claim arising out of or relating to this Agreement, its performance, enforcement or interpretation shall be governed by the laws of the State of Illinois. The venue for resolving any disputes concerning the parties' respective performance, or failure to perform, under this Agreement, shall be the 18th Judicial Circuit Court for DuPage County, Illinois.

9. This Agreement, including matters incorporated herein, contains the entire Agreement between the parties. There are no other covenants, warranties, representations, promises, conditions or understandings, either oral or written, other than those contained herein. This Agreement shall not be amended or assigned unless agreed beforehand in writing by and between the parties.

10. The undersigned parties hereby represent that they have the legal right and full authority to enter into this Agreement and that neither party is subject to any restriction or limitation that would prevent them from fully performing their duties and obligations hereunder.

11. Grantee shall comply with, and cause its representatives, employees, contractors, agents, officers, vendors and such other parties as it may authorize or grant permission to enter upon or use the Property to comply with, any and all applicable laws, ordinances, health and safety guidelines, requirements, procedures and protocols applicable to the Training Grantee intends to conduct on the property, which are hereby incorporated by reference.

ACCEPTED: GRANTOR

ACCEPTED: GRANTEE

Date: _____

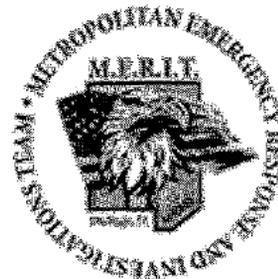
Date: _____

By: _____

By: _____



**DUPAGE COUNTY METROPOLITAN
EMERGENCY RESPONSE AND
INVESTIGATIONS TEAM
METRO SWAT**



TO: DuPage County Public Works

FROM: James Dexter, Commander

DATE: July 28, 2025

RE: Request for Use of Vacant Structures for SWAT Training

On behalf of the DuPage Metropolitan Emergency Response and Investigation Team (MEIRT) SWAT, I am writing to respectfully request the use of any vacant residential or commercial structures under the management of DuPage County Public Works for advanced tactical training.

Realistic and dynamic environments are essential for ensuring our team remains highly trained and prepared to respond to a wide range of high-risk incidents. Access to structures scheduled for renovation, demolition, or currently unoccupied would allow our operators to conduct vital scenario-based training in entry techniques, breaching, movement tactics, and team coordination.

We understand the importance of protecting county property and are committed to conducting all training activities safely, professionally, and with full coordination and approval from your staff. We are also happy to meet any requirements or conditions necessary to facilitate this training opportunity.

Thank you for considering our request. We truly value the ongoing partnership between public safety agencies and county departments in maintaining a secure and well-prepared community. Please feel free to contact me directly to discuss this further or to arrange a meeting.

Sincerely,

James Dexter
Commander



Development Ordinance

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

File #: DC-O-0029-25

Agenda Date: 8/19/2025

Agenda #: 6.B.



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Development Committee
FROM: DuPage County Zoning Hearing Officer
DATE: July 2, 2025
RE: **ZONING-25-000023 Sleiman (Lisle/District 5)**

Development Committee: August 19, 2025:

Zoning Hearing Officer: July 2, 2025: The Zoning Hearing Officer recommended to deny the following zoning relief:

1. Variation to reduce the interior side setback for a chicken coop from required 25 feet to approximately 3 feet for an existing chicken coop.
2. Variation to reduce the rear setback for a chicken coop from required 25 feet to approximately 3 feet for an existing chicken coop.

ZHO Recommendation to Deny

FINDINGS OF FACT:

- A. That petitioner testified that the subject zoning relief is to allow a Variation to reduce the interior side setback for a chicken coop from required 25 feet to approximately 3 feet for an existing chicken coop and a Variation to reduce the rear setback for a chicken coop from required 25 feet to approximately 3 feet for an existing chicken coop.
- B. That petitioner testified that he has owned the subject property for approximately one (1) year.
- C. That petitioner testified that there was a small chicken coop in the same area as the new chicken coop before he purchased the subject property.
- D. That petitioner testified that he built the new coop in the same area as the previous chicken coop without a building permit.
- E. That petitioner testified that there is a vacant lot behind the existing chicken coop.
- F. That petitioner testified that it would be expensive to move the existing chicken coop to meet the required setbacks.

- G. That petitioner testified that he does not want to have a chicken coop twenty-five (25) feet from the interior side and rear property line as a chicken coop would cause too much noise and smells adjacent to his house.
- H. That the Zoning Hearing Officer finds that petitioner has not demonstrated sufficient evidence for a practical difficulty or particular hardship in relation to the subject zoning relief for a Variation to reduce the interior side setback for a chicken coop from required 25 feet to approximately 3 feet for an existing chicken coop and a Variation to reduce the rear setback for a chicken coop from required 25 feet to approximately 3 feet for an existing chicken coop.
 - a. Furthermore, that the Zoning Hearing Officer finds that petitioner indicated economic reasons for the subject zoning relief and also indicated that compliance with the required setbacks would cause a chicken coop to be located too close to his house in spite of the fact that he stated that he has a large property approximately 0.84 acres in size.

STANDARDS FOR VARIATIONS:

1. That the Zoning Hearing Officer finds that petitioner **has not demonstrated** that the granting of the Variation is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's comprehensive plan for development.
2. That the Zoning Hearing Officer finds that petitioner **has not demonstrated** the granting of the Variation will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has not demonstrated** that the existing chicken coop located less than 25 feet from the interior side and rear property lines will not impair an adequate supply of light and air to the adjacent properties.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has not demonstrated** that the existing chicken coop located less than 25 feet from the interior side and rear property lines will not increase the hazard from fire or other dangers to said property.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has not demonstrated** that the existing chicken coop located less than 25 feet from the interior side and rear property lines will not diminish the value of land and buildings throughout the County.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has not demonstrated** that the existing chicken coop located less than 25 feet from the interior side and rear property lines will not unduly increase traffic congestion in the public streets and highways.
 - e. Increase the potential for flood damages to adjacent property as petitioner **has not demonstrated** that the existing chicken coop located less than 25 feet from the interior side and rear property lines will not increase the potential for flood damages to adjacent property.

- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has not demonstrated** that the existing chicken coop located less than 25 feet from the interior side and rear property lines will not incur additional public expense for flood protection, rescue, or relief.

- g. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County as petitioner **has not demonstrated** that the existing chicken coop located less than 25 feet from the interior side and rear property lines will not impair the public health, safety, comfort, morals, or general welfare and will be an added benefit to the neighborhood.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-25-000023 Sleiman
ZONING REQUEST	<ol style="list-style-type: none"> 1. Variation to reduce the interior side setback for a chicken coop from required 25 feet to approximately 3 feet for an existing chicken coop. 2. Variation to reduce the rear setback for a chicken coop from required 25 feet to approximately 3 feet for an existing chicken coop.
OWNER	MOUSSA & MARIELE SLEIMAN, 5S571 TUTHILL ROAD, NAPERVILLE, IL 60563
ADDRESS/LOCATION	5S571 TUTHILL ROAD, NAPERVILLE, IL 60563
PIN	08-08-401-038
TWSP./CTY. BD. DIST.	LISLE DISTRICT 5
ZONING/LUP	R-3 SF RES 0-5 DU AC
AREA	0.84 ACRES (36,590 SQ. FT.)
UTILITIES	WELL/SEPTIC
PUBLICATION DATE	Daily Herald: MAY 6, 2025
PUBLIC HEARING	WEDNESDAY, MAY 21, 2025, CONTINUED TO JUNE 18, 2025
<u>ADDITIONAL INFORMATION:</u>	
Building:	Objects.
DUDOT:	Our office has no jurisdiction in this matter.
Health:	No Objections.
Stormwater:	No Objections.
Public Works:	"DPC Public Works doesn't own any sewer or water mains in the area."
EXTERNAL:	
Village of Lisle:	Our office has no jurisdiction in this matter. "The subject property is outside of the Village's boundary agreement."
City of Naperville:	<i>No Comments Received.</i>
Lisle Township:	<i>No Comments Received.</i>
Township Highway:	Our office has no jurisdiction in this matter.
Lisle-Woodridge Fire Dist.:	"N/A"
Sch. Dist. 203:	<i>No Comments Received.</i>
Forest Preserve:	No Objection.

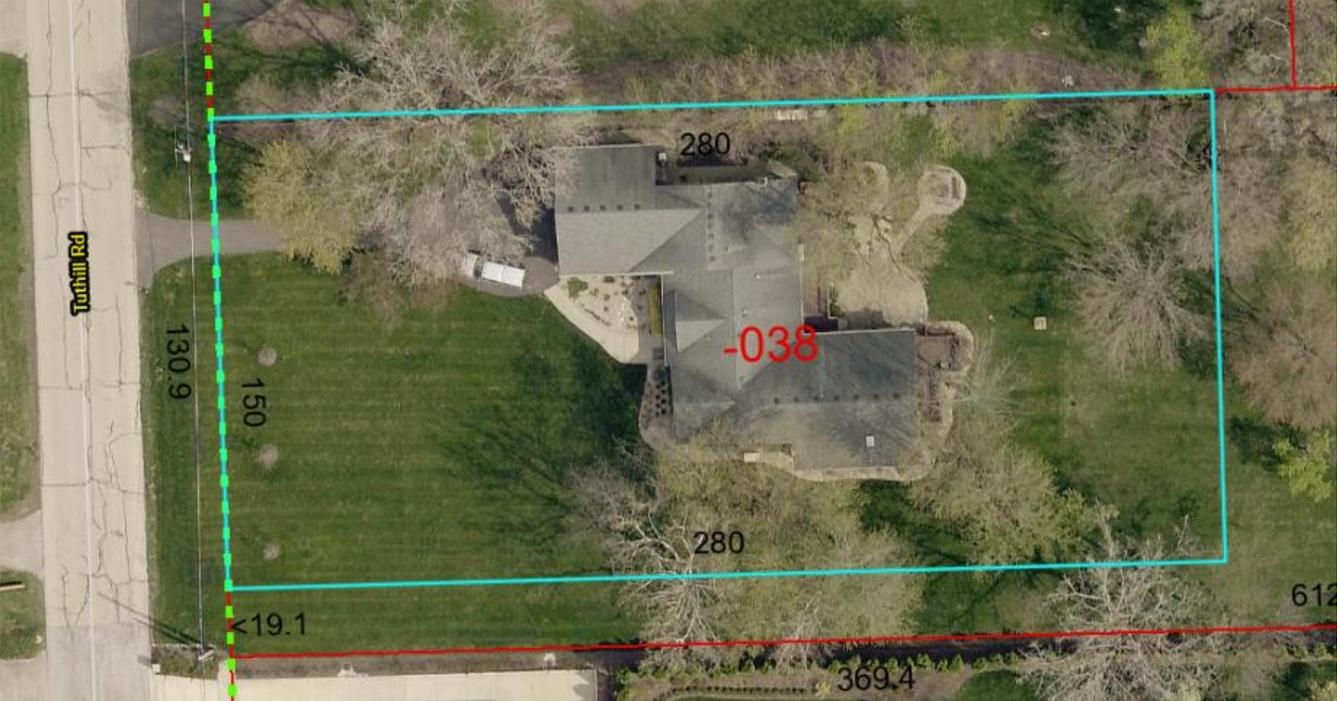
GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Int. Side Yard:	25 FEET	APPROX. 3 FT	APPROX. 3 FT
Rear Yard:	25 FEET	APPROX. 3 FT	APPROX. 3 FT

LAND USE:

Location	Zoning	Existing Use	LUP
Subject	R-3 SF RES	HOUSE	0-5 DU AC
North	R-3 SF RES	HOUSE	0-5 DU AC
South	R-3 SF RES	HOUSE	0-5 DU AC
East	R-3 SF RES	HOUSE	0-5 DU AC
West	TUTHILL ROAD AND BEYOND 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-0030-25

Agenda Date: 8/19/2025

Agenda #: 6.C.



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Hearing Officer

DATE: July 2, 2025

RE: **ZONING-25-000034 Northwestern Medicine Marianjoy Rehabilitation Hospital (Milton/District 6)**

Development Committee: August 19, 2025:

Zoning Hearing Officer: July 2, 2025: The Zoning Hearing Officer recommended to approve the following zoning relief:

1. Variation to increase the height of a proposed monument sign from permitted 6 feet to approximately 13 feet 11 inches.
2. Variation to allow two signs on the subject property (a one-sided masonry monument sign and a two-sided monument sign).
3. Variation to increase the total permitted copy area for two monument signs from 48 sq. ft. to approximately 50 sq. ft.

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-25-000034 Northwestern Medicine Marianjoy Rehabilitation Hospital** dated June 18, 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 subject zoning relief is to allow the installation of a masonry monument sign and two-sided monument sign on the subject property.

- B. That petitioner testified that the subject property consists of two parcels, one owned by Wheaton Franciscan Sisters Corporation and the other owned by Northwestern Medicine Marianjoy Rehabilitation Hospital.
- C. That petitioner testified that they proposed to make improvements near the intersection of Community Drive and Roosevelt Road by proposing new signage of a masonry monument sign and two-sided monument sign.
- D. That petitioner testified that the location and nature of the entryway to the subject property presents a unique and unusual circumstance for a practical difficulty and particular hardship to allow two (2) monument signs, increase the total copy area, and increase the height of one of the signs.
 - a. That petitioner testified the subject property has multiple district owners and operators necessitating multiple identification signs to better direct emergency vehicles and patients towards the hospital on the subject property.
 - b. Furthermore, that petitioner testified that due to the location of the subject property and entryway along Roosevelt Road, clear and visible signage is needed to direct residents, visitors, and emergency vehicles to the property.
- E. That the Zoning Hearing Officer finds that petitioner has demonstrated evidence for a practical difficulty and particular hardship for the subject zoning relief due to the location of the subject property and entryway along Roosevelt Road and that clear and visible signage is needed to direct residents, visitors, and emergency vehicles to the subject property that is owned by multiple district owners and operators for medical facilities.

STANDARDS FOR VARIATIONS:

1. That the Zoning Hearing Officer finds that petitioner **has demonstrated** that the granting of the Variation is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's comprehensive plan for development.
2. That the Zoning Hearing Officer finds that petitioner **has demonstrated** the granting of the Variation will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has demonstrated** that the proposed two (2) monument signs will not impair an adequate supply of light and air to the adjacent property.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that they will receive a building permit for the proposed two (2) monument signs that they will be built pursuant to the current building codes.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed two (2) monument signs will not diminish the value of land and buildings throughout the County and 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 proposed two (2) monument signs will not unduly increase traffic congestion in the public streets and highways and will assist with visitors identification and access to the subject property.
- e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the proposed two (2) monument signs 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 two (2) monument signs will not incur additional public expense for flood protection, rescue, or relief.
- g. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County as petitioner **has demonstrated** that the proposed two (2) monument signs will not impair the public health, safety, comfort, morals, or general welfare to the inhabitants of DuPage County as the proposed subdivision will match existing property sizes in the immediate neighborhood.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-25-000034 Northwestern Medicine Marianjoy Rehabilitation Hospital
ZONING REQUEST	<ol style="list-style-type: none"> 1. Variation to increase the height of a proposed monument sign from permitted 6 feet to approximately 13 feet 11 inches. 2. Variation to allow two signs on the subject property (a one-sided masonry monument sign and a two-sided monument sign). 3. Variation to increase the total permitted copy area for two monument signs from 48 sq. ft. to approximately 50 sq. ft.
OWNER	WHEATON FRANCISCAN SISTERS, 26W171 ROOSEVELT ROAD, WHEATON IL 60187 / AGENT: NORTHWESTERN MEDICINE MARIANJOY REHABILITATION HOSPITAL, 26W171 ROOSEVELT ROAD, WHEATON IL 60187 / HART M. PASSMAN AND CAITLYN R. CULBERTSON, ELROD FRIEDMAN, LLP., 350 NORTH CLARK STREET, SECOND FLOOR, CHICAGO, IL 60654
ADDRESS/LOCATION	26W171 ROOSEVELT ROAD, WHEATON, IL 60187
PIN	05-19-201-007/05-19-201-006
TWSP./CTY. BD. DIST.	MILTON DISTRICT 6
ZONING/LUP	R-4 SF RS INSTITUTIONAL
AREA	62.96 ACRES (2,742,102 SQ. FT.)
UTILITIES	WATER/SEWER
PUBLICATION DATE	Daily Herald: JUNE 3, 2025
PUBLIC HEARING	WEDNESDAY, JUNE 18, 2025
ADDITIONAL INFORMATION:	
Building:	No Objections.
DUDOT:	Our office has no jurisdiction in this matter.
Health:	Our office has no jurisdiction in this matter.
Stormwater:	No Objections.
Public Works:	"DPC Public Works doesn't own any sewer or water mains in this area."
EXTERNAL:	
City of Wheaton:	"On June 16, 2025, the Wheaton City Council reviewed DuPage County Zoning Petition ZONING-25-000034 from Northwestern Medicine Marianjoy Rehabilitation Hospital for a sign variance. The Mayor and City Council unanimously directed City staff to inform the County that Wheaton has no objection or concern regarding the petition. They found that if the property were within city limits, one sign, not exceeding 19 feet in height and 72 square feet on either side of the sign face, would be permissible. Given the diverse activities on the site, the request for two signs was deemed justified."
Village of Winfield:	<i>No Comments Received.</i>
Milton Township:	<i>No Comments Received.</i>
Township Highway:	Our office has no jurisdiction in this matter.

Winfield Fire Dist.:	<i>No Comments Received.</i>
Sch. Dist. 200:	<i>No Comments Received.</i>
Forest Preserve:	“We do not have any comments.”

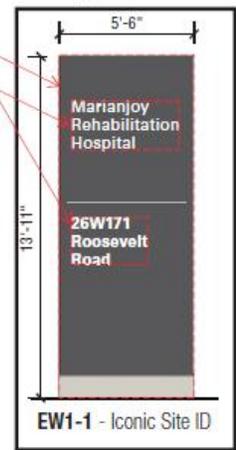
LAND USE:

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	HEALTHCARE	INSTITUTIONAL
North	CITY OF WHEATON	HOUSE	CITY OF WHEATON
South	CITY OF WHEATON	HOUSE	CITY OF WHEATON
East	CITY OF WHEATON	MULTI-FAMILY	CITY OF WHEATON
West	CITY OF WHEATON	MULTI-FAMILY	CITY OF WHEATON

- Limestone wall with individual letter sign, internal halo-illumination

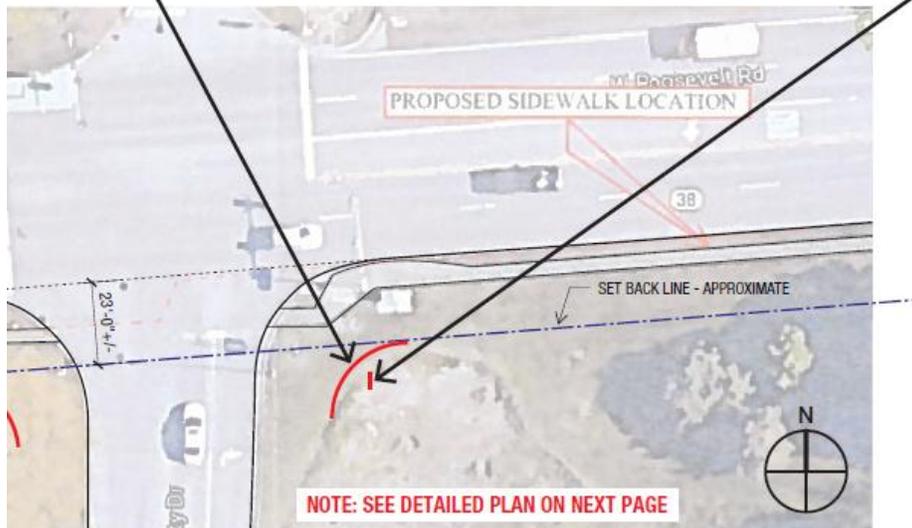


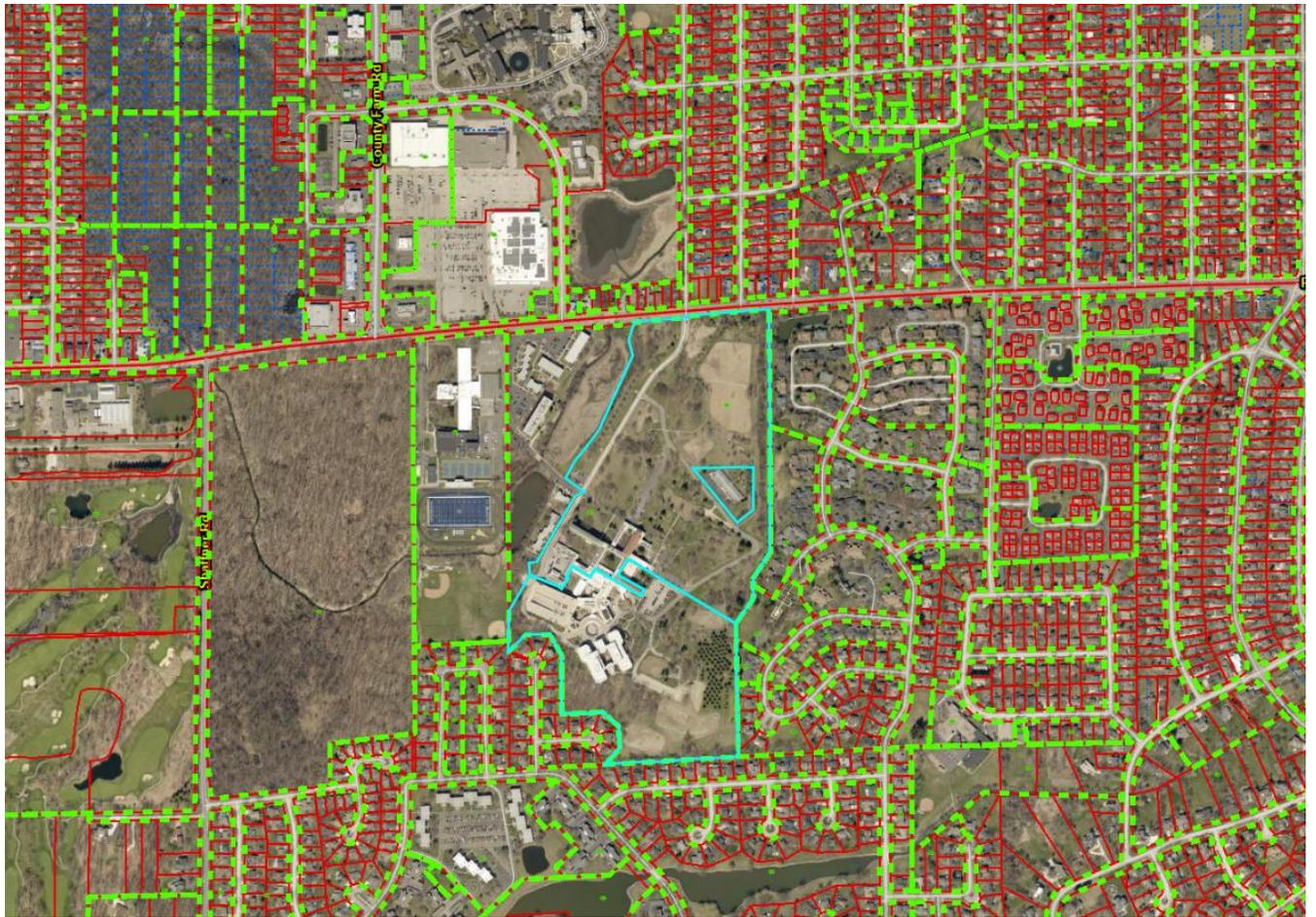
Cap height of lettering is 5 1/2"

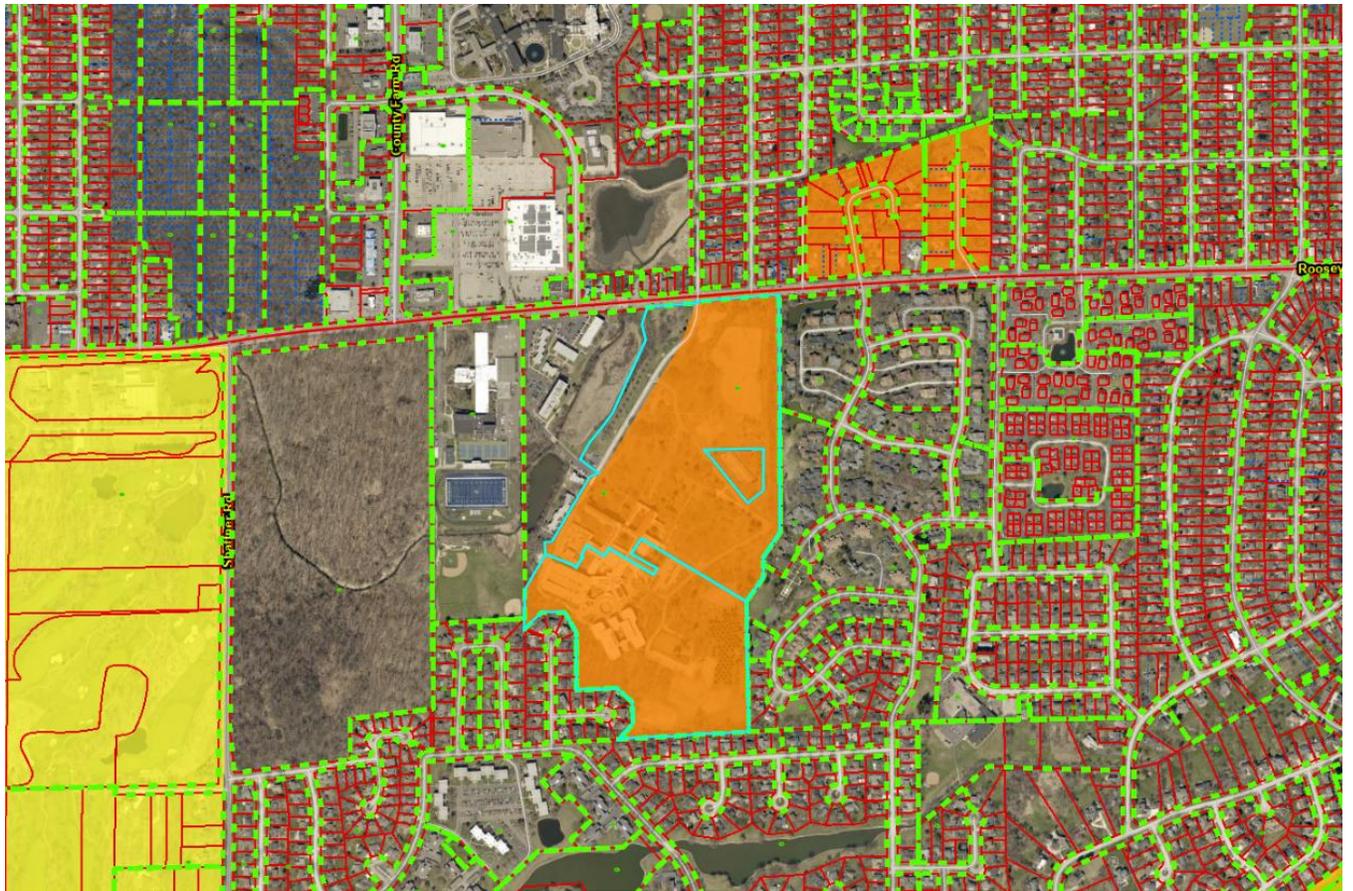


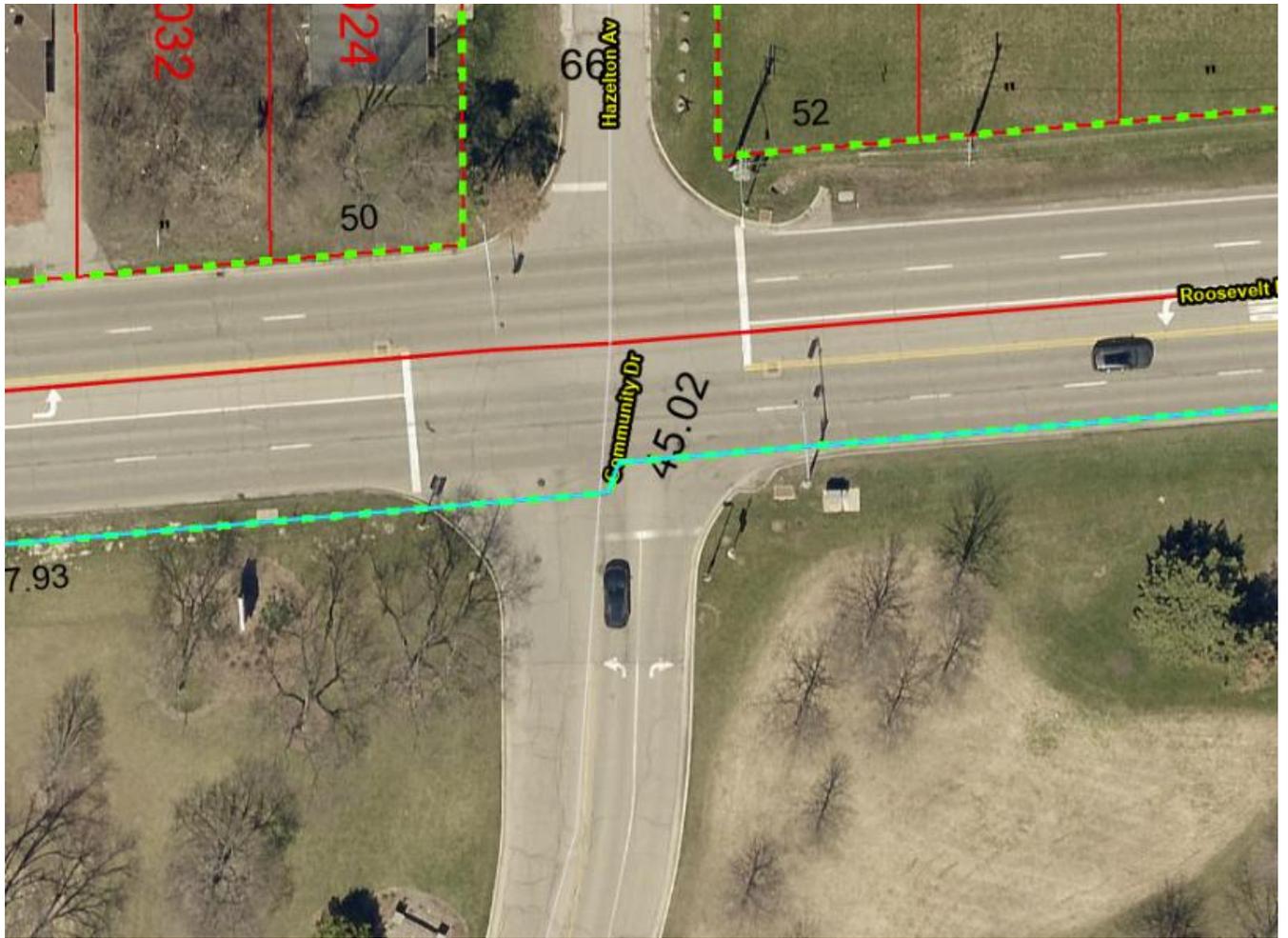
This is a two-sided sign.

- Painted panel ID sign with push-through white acrylic lettering, internal backlit illumination (graphics only)









Hart M. Passman
312.528.5193
hart.passman@ElrodFriedman.com

Caitlyn R. Culbertson
312.528.5206
caitlyn.culbertson@elrodfriedman.com

June 16, 2025

Via Email:

Hearing Officer
DuPage County
Building and Zoning Department
c/o Jessica R. Infelise Datzman, Zoning Administration Coordinator
421 AN. County Farm Road
Wheaton, Illinois 60187
Jessica.Infelise@dupagecounty.gov

**Re: Application for Sign Variations
Zoning Petition ZONING-25-000034
Northwestern Medicine Marianjoy Rehabilitation Hospital**

Dear Hearing Officer:

On behalf of our client, Marianjoy Rehabilitation Hospital and Clinics, Inc., d/b/a Northwestern Medicine Marianjoy Rehabilitation Hospital ("*Petitioner*"), the owner of a portion of the property commonly known as the Wheaton Franciscan Sisters–Marianjoy Campus ("*Subject Property*"), we respectfully submit this application for variations from the DuPage County Zoning Ordinance to allow the installation of a masonry monument sign and two-sided monument sign on the Subject Property ("*Requested Relief*"). The Subject Property consists of two parcels, one owned by Wheaton Franciscan Sisters Corporation ("*WFSC*") (PIN 05-19-201-006) and the other by Petitioner (PIN 05-19-201-007). WFSC has consented to the filing of this zoning application.

The Requested Relief is part of a larger project to update signage and make improvement to the Subject Property as whole, including the WFSC portion. Petitioner proposes to install new signage at the intersection of Community Drive and Roosevelt Road. One masonry monument sign and one two-sided monument sign would be placed on each side of Community Drive, with the name of the owner of that parcel (Petitioner on one and WFSC on the other) and address information.

Petitioner seeks the following three specific sign variations ("*Variations*"):

1. Variation to increase the height of the proposed monument sign from the permitted six feet to approximately 13 feet 11 inches;
2. Variation to allow two signs on the southeast corner of the intersection of Roosevelt Road and Community Drive, on the Subject Property; and
3. Variation to increase the total permitted copy area for two monument signs from 48 sq. ft. to approximately 50 sq. ft.

In support of the petition for the Requested Relief, below please find Petitioner's statements as to the standards required by the Zoning Ordinance for the granting of variations. As described in

more detail below, strict application of the County's Zoning Ordinance will impose undue restrictions on Petitioner's effort to modernize the Subject Property and create an aesthetically pleasing entryway. Because of the dual ownership of the Subject Property and nature of the entryway, strict compliance with the applicable sign regulations would cause an undue hardship to Petitioner in limiting its ability to attract and conduct business on the Subject Property.

Variation Standards of Review

The Zoning Board of Appeals or the Zoning Hearing Officer is authorized to recommend to the County Board approval of variations when the standards of review are met, as set forth in Section 37-1411.3 of the Zoning Ordinance. The Variations requested satisfy all of the standards of review in the Zoning Ordinance as set forth below.

- 1. That there are practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations of the Zoning Ordinance.**

The dual ownership, location and nature of the entryway to the Subject Property presents unique and unusual circumstances. Currently, the Subject Property has one existing ground entry sign. The fact that the Subject Property has multiple distinct owners and operators necessitates multiple identification signs. Importantly, the separate signage is intended to better direct emergency vehicles and patients towards the hospital on the Subject Property. Further, the location of the Subject Property and entryway along Roosevelt Road, a major thoroughfare in the County, means that clear and visible signage is needed to direct residents and visitors to the site. In order to comply with all setback requirements and ensure that no vehicular or pedestrian site lines were obstructed, the proposed signs are tucked back and angled along Community Drive. Traffic moves very quickly along Roosevelt Road and, therefore, in order to ensure drivers can safely view the signage, taller and larger signs are practically necessary. Additionally, due to the multiple owners and operators on the Subject Property, there is a greater risk of inability to clearly view each entity name and address if the sign or typeface is too small.

Petitioner is seeking the ability to utilize creative and flexible approaches for signage at this important location in the County. The Variations are necessary to achieve an aesthetically pleasing, visually interesting, and highly visible entry to the Subject Property, and to ensure that drivers passing by take notice of the signs in a safe and natural manner.

Petitioner has worked very hard to limit the need for sign relief to the relatively minor relief represented by the requested Variations. The proposed signage is shorter than the existing signage by approximately five inches. Further, although there are technically two signs being requested, Petitioner is proposing two elements - a vertical element and a horizontal element - that are separate pieces but make up one cohesive sign. Denying the Variations would impose undue hardship on Petitioner's ability to conduct and attract business and it would adversely impact that Petitioner's ability to position the Subject Property for a vibrant and successful future in the County.

- 2. That the granting of any Variations 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.**

As described in the Sign Plan, the attractive, appropriately-scaled signage is in character with the existing streetscape within and surrounding the Subject Property. The proposed signage creates

an attractive, modernized entryway consistent with the improvements to the Subject Property and the aesthetics of the neighborhood.

The Variations are in harmony with the purpose and intent of the Zoning Ordinance. The proposed signs are compatible with the surrounding architecture and land uses and create a more attractive business and economic climate in this important area of the County. The proposed signage is more in line with the character and appearance of the buildings in and around the Subject Property than the existing ground sign. The signs will be structurally sound and attractive, and the materials and colors used for the sign will align with the overall aesthetic of the Subject Property. Further, as stated below, the Variations will pose no risk to traffic or other safety hazards.

3. That the granting of the Variations will not:

- i. Impair an adequate supply of light and air to the adjacent property;**
- ii. Increase the hazard from fire or other dangers to said property;**
- iii. Diminish the value of land and buildings throughout the County;**
- iv. Unduly increase traffic congestion in the public streets and highways;**
- v. Increase the potential for flood damages to adjacent property;**
- vi. Incur additional public expense for flood protection, rescue, or relief; or**
- vii. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County.**

The Variations are designed to be eye-catching yet appropriately-scaled and understated, and will pose no risk to traffic or other safety hazards. The proposed signs comply with all setback requirements and will not interfere with any vehicular site lines, nor will they impede vehicular or pedestrian circulation through the Subject Property or surrounding roadways. The Variations will not impair an adequate supply of light and air to the adjacent property or increase the hazard from fire, flooding, or other dangers to adjacent properties. The Requested Relief will continue to enhance the Subject Property and will have no deleterious effect on the values of the properties surrounding the Subject Property.

The Requested Relief is consistent with all applicable criteria and standards for approval of variations. Based on the information in this letter and application previously submitted, we respectfully request that the Hearing Officer recommend that the County Board approve the requested Variations.

Please contact my colleague Caitlyn Culbertson or me if you have any questions or require additional information. Thank you for your consideration of this request.

Sincerely,

A solid black rectangular box redacting the signature of Hart M. Passman.

Hart M. Passman

Sent: Tuesday, June 17, 2025 8:23 AM
To: Infelise, Jessica; DuPage County Chair; LaPlante, Lynn; Ozog, Mary; Eckhoff, Grant; Stran, Jim; Polewski, Genevieve; Winklebleck, David; Heffter, Clayton; Furey, David; Michael DeSmedt; Kevin Stough; Jennifer Meyer; admin@winfieldpd.org; jeff.schuler@cusd200.org; Gary Muehlfelt; Milton Clerk; Milton Supervisor; Andrea Rosedale; Phil Sues; Mike Dzugan; cbarrett; Peter Krumins (Winfield Com. Dev)
Cc: Hoss, Paul; Schwalm, Eileen
Subject: Re: DuPage County Zoning Notification - ZONING-25-000034 NW Marianjoy Rehabilitation

[Caution: This email originated outside Dupagecounty.gov. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Ms. Infelise,

On June 16, 2025, the Wheaton City Council reviewed DuPage County Zoning Petition ZONING-25-000034 from Northwestern Medicine Marianjoy Rehabilitation Hospital for a sign variance. The Mayor and City Council unanimously directed City staff to inform the County that Wheaton has no objection or concern regarding the petition. They found that if the property were within city limits, one sign, not exceeding 19 feet in height and 72 square feet on either side of the sign face, would be permissible. Given the diverse activities on the site, the request for two signs was deemed justified.

Please do not hesitate to contact me with any questions you may have.

James Kozik, AICP

Director of Planning and Economic Development

City of Wheaton

www.wheaton.il.us

[630.260.2008](tel:630.260.2008) desk

[630.688.2000](tel:630.688.2000) cell



Development Ordinance

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

File #: DC-O-0031-25

Agenda Date: 8/19/2025

Agenda #: 6.D.



M E M O R A N D U M

TO: DuPage County Development Committee
FROM: DuPage County Zoning Hearing Officer
DATE: July 10, 2025
RE: **ZONING-25-000035 Hanna’s – Wheaton, LLC. (Milton/District 4)**

Development Committee: August 19, 2025:

Zoning Board of Appeals Meeting: July 10, 2025: The Zoning Board of Appeals recommended to deny the following zoning relief:

1. Conditional Use to allow a video gaming cafe restaurant in a B-1 Local Business Zoning District.
2. Variation to allow a video gaming café restaurant to be located less than 1,000 feet from a place of assembly use.

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

FINDINGS OF FACT:

1. That petitioner testified that the subject zoning relief is for a Conditional Use to allow a video gaming cafe restaurant in a B-1 Local Business Zoning District and a Variation to allow a video gaming café restaurant to be located less than 1,000 feet from a place of assembly use.
2. That petitioner testified that the subject property is located at the southwest corner of Geneva Road and Pleasant Hill Road.
3. That petitioner testified that the proposed location of Hanna’s – Wheaton video gaming café restaurant is located within 1,000 feet of the Pleasant Hill Community Church/Church of the Savior, which is approximately 700 feet to the west of the subject property.
4. That petitioner testified that the subject property is a shopping center that has ten (10) units, and that the subject unit is located on the west end of the shopping center and was previously occupied by a dry cleaner.

- a. That petitioner testified that the subject unit has been vacant for approximately five (5) years.
5. That petitioner testified that directly south and east of the subject property are all residential properties/uses and that to the north and west there are commercial properties/uses.
6. That petitioner testified that the proposed operator of Hanna's – Wheaton is an experienced video gaming operator with two (2) locations in Glendale Heights and Melrose Park.
7. That petitioner testified that the proposed video gaming café restaurant would be open from 9:00 AM to 12:00 AM.
8. That petitioner testified that the proposed video gaming café restaurant will only have six (6) video gaming devices.
9. That petitioner testified that they would serve food and liquor (beer/wine).
 - a. That petitioner testified that although they serve liquor, their primary customers at their existing location do not typically order liquor, resulting in low liquor sales.
10. That petitioner testified that the main ingress and egress to the shopping center is Geneva Road, with Pleasant Hill Road to the east and Delano Street on the west also as ingress/egress points.
 - a. That petitioner testified that in order to avoid customers utilizing the neighborhood to the south as a cut through, petitioner testified that they would propose restricting access going south on Delano Street from the shopping center.
11. That petitioner testified that although the proposed video gaming café restaurant would be located within 1,000 feet of a Place of Assembly, the Pleasant Hill Community Church/Church of the Savior is of modest size and only meets on the weekends.
12. That the Zoning Board of Appeals finds that the size of the Place of Assembly (Pleasant Hill Community Church/Church of the Savior) does not constitute a practical difficulty or particular hardship sufficient to justify the granting of the requested Variation.
13. That the Zoning Board of Appeals further finds that, although the petitioner has satisfied the Standards for a Conditional Use, those standards cannot be given effect because the petitioner failed to demonstrate the practical difficulty or particular hardship required to support the Variation, upon which the Conditional Use depends.
14. Furthermore, the Zoning Board of Appeals finds that, because the petitioner did not meet the burden of proof for the required Variation, the requested Conditional Use - to operate a video gaming cafe restaurant in a B-1 Local Business Zoning District – cannot be approved, as it is contingent upon the approval of the requested Variation.

STANDARDS FOR VARIATIONS:

1. That the Zoning Board of Appeals finds that petitioner **has not demonstrated** that the granting of the Variation is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's comprehensive plan for development.
2. That the Zoning Board of Appeals finds that petitioner **has not demonstrated** the granting of the Variation will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has not demonstrated** sufficient evidence that the proposed Variation will 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 not demonstrated** sufficient evidence that the proposed Variation will not increase the hazard from fire or other dangers to said property.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has not demonstrated** that the proposed Variation will not diminish the value of land and buildings throughout the County.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has not demonstrated** sufficient evidence that the proposed Variation will not unduly increase traffic congestion in the public streets and highways.
 - e. Increase the potential for flood damages to adjacent property as petitioner **has not demonstrated** sufficient evidence that the proposed Variation will not increase the potential for flood damages to adjacent property.
 - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has not demonstrated** sufficient evidence that the proposed Variation will not incur additional public expense for flood protection, rescue, or relief.
 - g. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County as petitioner **has not demonstrated** sufficient evidence that the proposed video gaming café restaurant will not impair the public health, safety, comfort, morals, or general welfare.

STANDARDS FOR CONDITIONAL USES:

1. That the Zoning Board of Appeals 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 proposed video gaming café restaurant will be operated in an existing shopping center unit and will not impair an adequate supply of light and air to the adjacent property.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that the proposed video gaming café restaurant will receive all required buildings permits for interior alterations and will not increase the hazard from fire or other dangers to said property.

- c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed video gaming café restaurant will be operated in an existing shopping center unit and will not diminish the value of land and buildings throughout the County.
- d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the proposed video gaming café restaurant will only have six (6) gaming devices and will not unduly increase traffic congestion in the public streets and highways.
- e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the proposed video gaming café restaurant will be operated in an existing shopping center unit and 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 video gaming café restaurant will be operated in an existing shopping center unit and will not incur additional public expense for flood protection, rescue or relief.
- g. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County as petitioner **has demonstrated** that the proposed video gaming café restaurant will be operated in an existing shopping center unit and will not otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-25-000035 Hanna's – Wheaton, LLC.
ZONING REQUEST	1. Conditional Use to allow a video gaming cafe restaurant in a B-1 Local Business Zoning District. 2. Variation to allow a video gaming café restaurant to be located less than 1,000 feet from a place of assembly use.
OWNER	WILLIAM AND DORIS TULLAR, 26W211 GENEVA ROAD, WHEATON, IL 60187 / AGENT: HANNA'S – WHEATON, LLC., 26W233 GENEVA ROAD, WHEATON, IL 60187 / PHILLIP A. LUETKEHANS, LUETKEHANS, BRADY, GARNER & ARMSTRONG, 2700 INTERNATIONAL DRIVE, SUITE 305, WEST CHICAGO, IL 60185
ADDRESS/LOCATION	26W211 GENEVA ROAD, WHEATON, IL 60187 (UNIT 26W233 GENEVA ROAD, WHEATON, IL 60187)
PIN	05-06-407-001/05-06-407-002
TWSP./CTY. BD. DIST.	MILTON DISTRICT 4
ZONING/LUP	B-1 LOCAL COMMERCIAL LOCAL BUSINESS
AREA	0.92 ACRES (40,075 SQ. FT.)
UTILITIES	WATER/SEWER
PUBLICATION DATE	Daily Herald: JUNE 9, 2025
PUBLIC HEARING	TUESDAY, JUNE 24, 2025

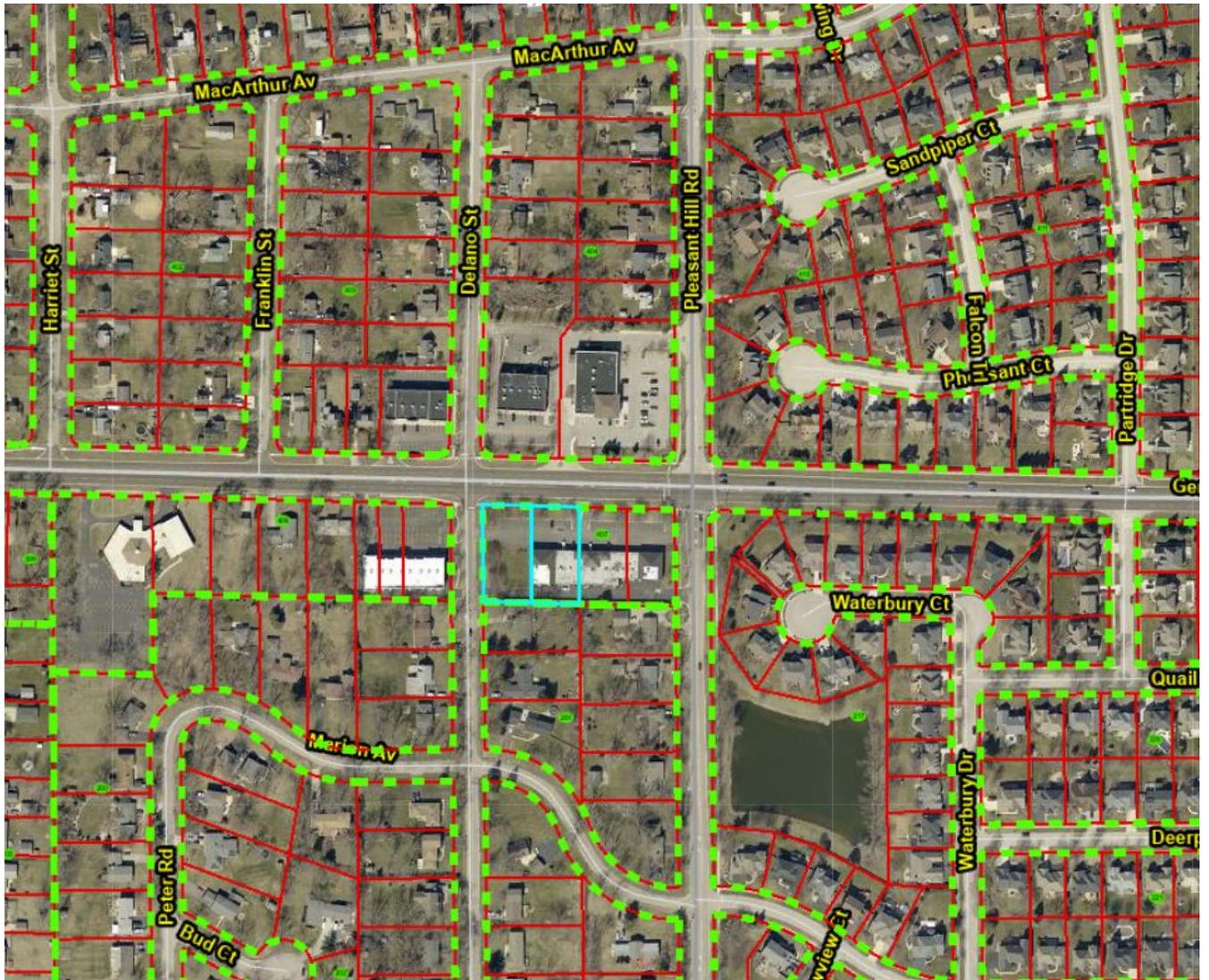
ADDITIONAL INFORMATION:

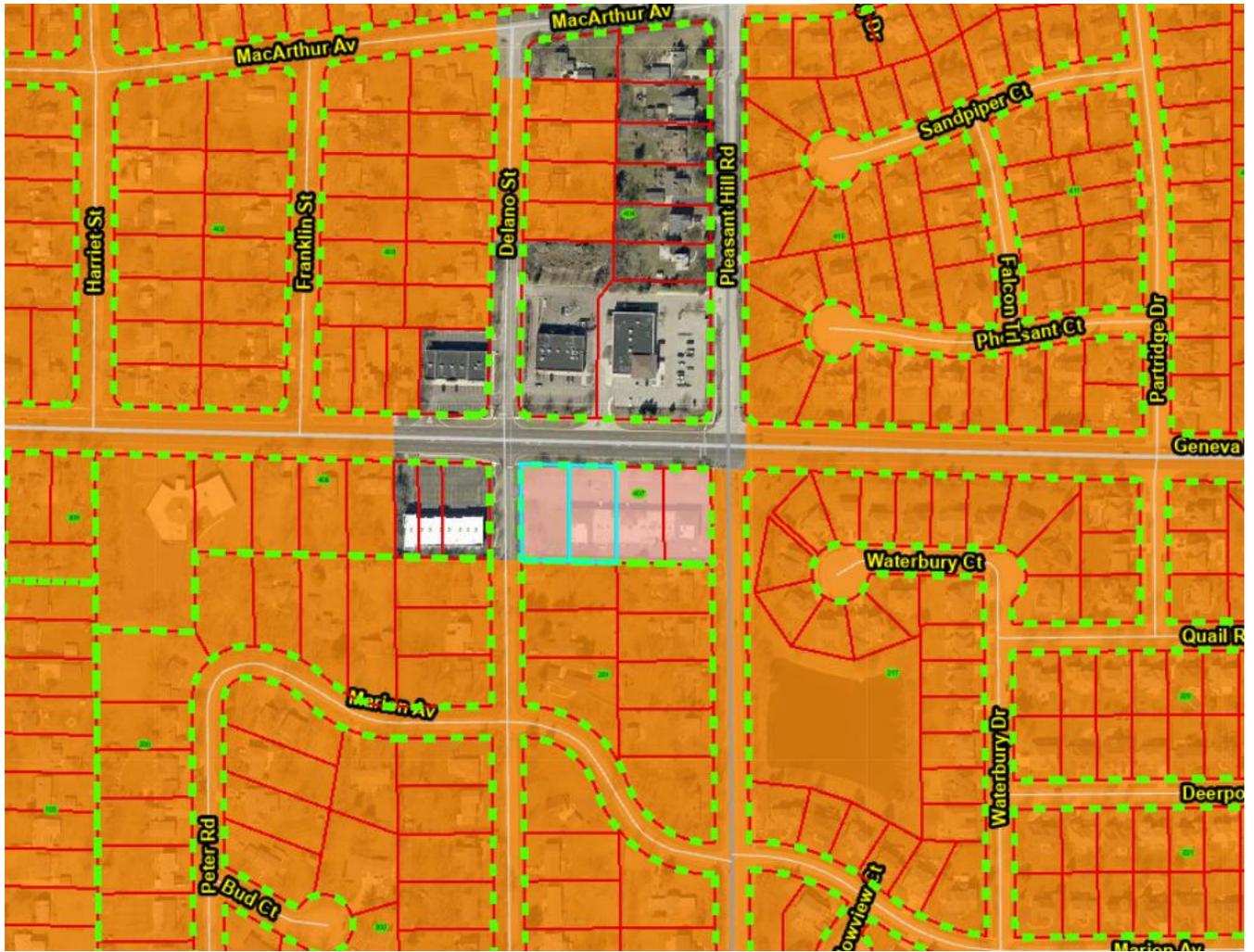
Building:	No Objections.
DUDOT:	No Objections.
Health:	No Objection with the concept of the petition. Additional information may be required at time of permit application.
Stormwater:	Our office has no jurisdiction in this matter.
Public Works:	"DPC Public Works doesn't own any sewer or water mains in this area."
EXTERNAL:	
Village of Winfield:	<i>No Comments Received.</i>
Village of Carol Stream:	"Carol Stream has no comments on this petition."
City of Wheaton:	Objects. (See attached documentation)
Milton Township:	<i>No Comments Received.</i>
Township Highway:	No Objection with the concept of the petition. Additional information may be required at time of permit application.
Winfield Fire Dist.:	<i>No Comments Received.</i>
Sch. Dist. 200:	<i>No Comments Received.</i>
Forest Preserve:	"We do not have any comments."

LAND USE:

Location	Zoning	Existing Use	LUP
Subject	B-1 LOCAL BUSINESS	SHOPPING CENTER	LOCAL COMMERCIAL

North	GENEVA ROAD AND BEYOND VILLAGE OF WINFIELD	COMMERCIAL	VILLAGE OF WINFIELD
South	R-4 SF RES	HOUSE	0-5 DU AC
East	B-1 LOCAL BUSINESS	SHOPPING CENTER	LOCAL COMMERCIAL
West	DELANO STREET AND BEYOND VILLAGE OF WINFIELD	COMMERCIAL	VILLAGE OF WINFIELD





Sent: Tuesday, June 17, 2025 8:38 AM
To: Infelise, Jessica; DuPage County Chair; Eckhoff, Grant; Ozog, Mary; LaPlante, Lynn; Stran, Jim; Polewski, Genevieve; Winklebleck, David; Heffter, Clayton; Furey, David; Michael DeSmedt; 'Kevin Stough'; Jennifer Meyer; 'admin@winfielddpd.org'; jeff.schuler@cusd200.org; Gary Muehlfelt; Milton Clerk; Milton Supervisor; cbarrett; Peter Krumins (Winfield Com. Dev.); Bill Holmer; Don Bastian (C.S. Com. Dev.); Julia Schwarze; Mayor Frank Saverino; Andrea Rosedale; Phil Suess; Mike Dzugan
Cc: Hoss, Paul; Schwalm, Eileen
Subject: Re: DuPage County Zoning Notification - ZONING-25-000035 Hanna's - Wheaton, LLC.
Attachments: Z-25-000035 Hanna's - Wheaton, LLC. ZBA Legal and Staff (06-24-2025).docx

[Caution: This email originated outside Dupagecounty.gov. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Ms. Infelise,

On June 16, 2025, the Wheaton City Council reviewed DuPage County Zoning Notification - ZONING-25-000035 Hanna's - Wheaton, LLC. requesting a conditional use and variations pertaining to a video gaming cafe. The Mayor and City Council unanimously directed City staff to inform the County that Wheaton has an objection or concern regarding the petition. They found that the request seeking a variation for the distance from an assembly use represents a 50% reduction from the zoning requirement, and the co-location of two gaming establishments at the same property effectively circumvents the County's zoning requirements altogether. They further found that the requests are excessive, and the petition will be injurious to the neighborhood, negatively impact public welfare, or otherwise affect the public health, safety, comfort, or morals of the residents of DuPage County.

Please do not hesitate to contact me with any questions you may have.

James Kozik, AICP

Director of Planning and Economic Development
City of Wheaton

www.wheaton.il.us

[630.260.2008](tel:630.260.2008) desk

[630.688.2000](tel:630.688.2000) cell



Development Ordinance

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

File #: DC-O-0032-25

Agenda Date: 8/19/2025

Agenda #: 6.E.



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Development Committee
FROM: DuPage County Zoning Hearing Officer
DATE: July 16, 2025
RE: **ZONING-25-000037 Kesik (Lisle/District 2)**

Development Committee: August 19, 2025:

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

Variation to reduce the interior side setback for a new detached garage from required 9 feet to approximately 1.25 feet (replacing previous detached garage of over 20 years with a new detached garage on existing concrete slab).

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-25-000037 Kesik** dated July 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 interior side setback for a new detached garage from required 9 feet to approximately 1.25 feet (replacing previous detached garage of over 20 years with a new detached garage on existing concrete slab).

- B. That petitioner testified that she has lived on the subject property for over twenty (20) years.
- C. That petitioner testified that the previous detached garage burned down and that she proposes to construct a new detached garage on the existing concrete slab, which is located approximately 1.25 feet from the interior side property line.
- D. That petitioner testified that she has a small house with no storage and requires a detached garage.
- E. That petitioner testified that she cannot move the detached garage's location as there is an existing driveway that leads the existing concrete slab.
- F. That the Zoning Hearing Officer finds that petitioner has demonstrated evidence for the subject zoning relief and has demonstrated evidence for a practical difficulty and particular hardship in relation to the subject property.
 - a. That petitioner demonstrated that she proposes to replace the previous detached garage that burned down with a new detached garage on the existing concrete slab, which was previously constructed too close to the interior side property line.
 - b. That petitioner demonstrated that she cannot move the proposed detached garage's location as she has an existing driveway that leads to the existing concrete slab in which the proposed detached garage will be constructed upon.

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 she is replacing the previous detached garage that burned down on the existing concrete slab, 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 she will obtain a building permit for the proposed new detached garage on existing concrete slab, 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 she is replacing the previous detached garage that burned down on the existing concrete slab 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 proposed detached garage 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 detached garage on existing concrete slab 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 she is replacing the previous detached garage that burned down on the existing concrete slab 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 detached garage 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-25-000037 Kesik
ZONING REQUEST	Variation to reduce the interior side setback for a new detached garage from required 9 feet to approximately 1.25 feet (replacing previous detached garage of over 20 years with a new detached garage on existing concrete slab).
OWNER	MIROSLAWA KESIK, 5512 ESSEX ROAD, LISLE, IL 60532
ADDRESS/LOCATION	5512 ESSEX ROAD, LISLE, IL 60532
PIN	08-14-100-007
TWSP./CTY. BD. DIST.	LISLE DISTRICT 2
ZONING/LUP	R-4 SF RES 0-5 DU AC
AREA	0.68 ACRES (29,621 SQ. FT.)
UTILITIES	WELL/SEPTIC
PUBLICATION DATE	Daily Herald: JUNE 17, 2025
PUBLIC HEARING	WEDNESDAY, JULY 2, 2025
<u>ADDITIONAL INFORMATION:</u>	
Building:	No Objection with the concept of the petition. Additional information may be required at time of permit application. "Based on the proximity to the neighboring home, the interior of the garage may have to be drywalled and have a 1 hour rating."
DUDOT:	<i>No Comments Received.</i>
Health:	<i>No Comments Received.</i>
Stormwater:	No Objection with the concept of the petition. Additional information may be required at time of permit application.
Public Works:	"DPC Public Works doesn't own any sewer or water mains in this area."
<u>EXTERNAL:</u>	
Village of Lisle:	No Objection with the concept of the petition. Additional information may be required at time of permit application. (See attached documentation)
Village of Downers Grove:	"The Village of Downers Grove has no comment."
Village of Woodridge:	<i>No Comments Received.</i>
Lisle Township:	<i>No Comments Received.</i>
Township Highway:	No Objections.
Lisle-Woodridge Fire Dist.:	<i>No Comments Received.</i>
Sch. Dist. 202:	<i>No Comments Received.</i>
Forest Preserve:	<i>No Comments Received.</i>

GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Int. Side Yard:	9 FT	APPROX. 1.25 FT	APPROX. 1.25 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	R-4 SF RES	HOUSE	0-5 DU AC
East	ESSEX ROAD AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
West	R-4 SF RES	HOUSE	0-5 DU AC



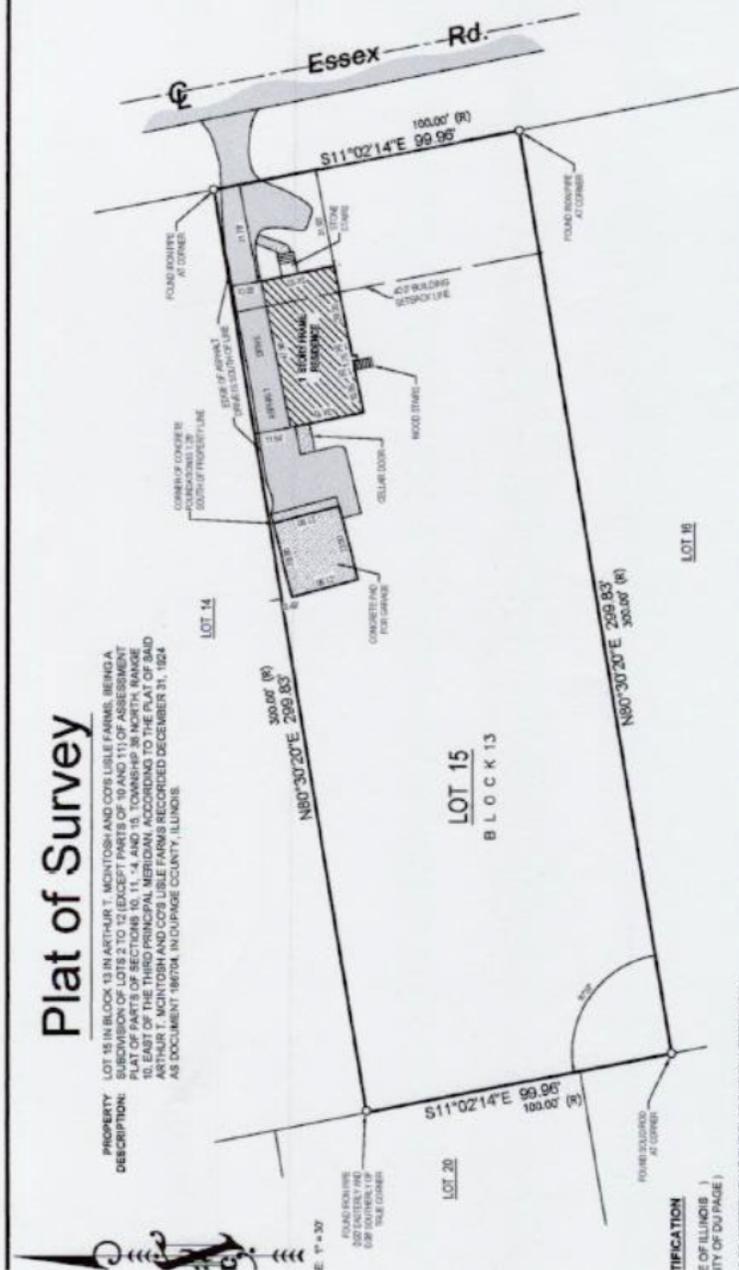
BOOK
DRAWN: GMP
CHECKED: KAS
FIELD DATE: 03-27-2023
PROJECT NO: 2025-053

ACORN CONSULTANTS, LTD.
1340 GREE ROAD
BAYVIEW, KANSAS 66810
TEL: (620) 281-1215
kblum@acorn.com

PREPARED FOR:
Wojtek
5612 Essex Road
Lima, Missouri 65532

Plat of Survey

PROPERTY DESCRIPTION: LOT 15 IN BLOCK 13 IN ARTHUR T. MONTOSH AND CO'S LISLE FARMS, BEING A SUBDIVISION OF LOTS 2 TO 12 (EXCEPT PARTS OF 10 AND 11) OF ASSESSMENT PLAT OF PARTS OF SECTIONS 10, 11, 14, AND 15, TOWNSHIP 36 NORTH, RANGE 20 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID LOTS 2 TO 12, MONTOSH AND CO'S LISLE FARMS, AS RECORDED DECEMBER 31, 1924, AS DOCUMENT 180794, IN OSAGE COUNTY, KANSAS.



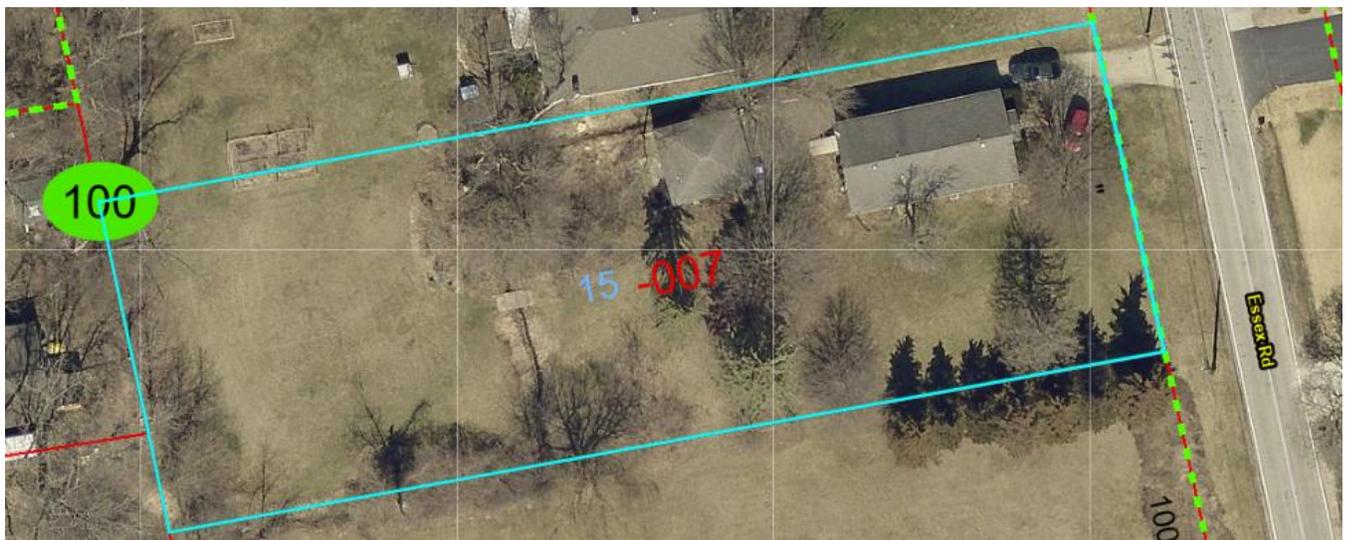
ABBREVIATIONS:
(R) = RECORD VALUE
(M) = MEASURED VALUE



NOTIFICATION
I, SETOF BLANDO, ()
() OF OSAGE COUNTY,
KANSAS, A PROFESSIONAL LAND SURVEYOR,
DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS A
TRUE AND CORRECT REPRESENTATION OF A SURVEY PERFORMED AT
MY DIRECTION, THIS PROFESSIONAL SERVICE BEING
PERFORMED IN ACCORDANCE WITH THE MINIMUM STANDARDS
AND DECIMAL PARTS THEREOF.
I UNDER MY HAND AND SEAL THIS 28TH DAY OF MARCH,
2023.

SETOF BLANDO
318 PROFESSIONAL LAND SURVEYOR NO. 3705
RE EXPIRES 11/30/2028







**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

DU PAGE COUNTY ZONING HEARING OFFICER PROGRAM Zoning Petition ZONING-25-000037 Kesik

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 **July 1, 2025**.

COMMENT SECTION:	
: OUR OFFICE HAS NO JURISDICTION IN THIS MATTER	
: NO OBJECTION/CONCERNS WITH THE PETITION	
<input checked="" type="checkbox"/> : NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION. ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION	
: I OBJECT/ HAVE CONCERNS WITH THE PETITION.	
COMMENTS: Village staff has no objection to the replacement of the existing garage. A 100-year overland flow route is impacted by the existing garage location. Village staff would encourage review by the Stormwater Management Department	
SIGNATURE:	DATE: 6/19/2025
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT: Village of Lisle	
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PLEASE NOTE: FILING OF THIS FORM DOES NOT SUBSTITUTE FOR A FORMAL OBJECTION PURSUANT TO THE ILLINOIS STATE STATUTES.