



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

630-407-6700
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www.dupageco.org/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: October 17, 2023

RE: **ZONING-23-000064 Szul (Wayne/ District 6)**

DuPage County Board: October 24, 2023:

Development Committee: October 17, 2023: The DuPage County Development Committee recommended to approve the following zoning relief:

Variation to reduce the interior side setback for a new generator from 9 feet to approximately 6 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-23-000064 Szul** dated September 13, 2023.
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 (to Approve): 5 Ayes, 0 Nays, 1 Absent

Zoning Hearing Officer: September 13, 2023: The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to reduce the interior side setback for a new generator from 9 feet to approximately 6 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-23-000064 Szul** dated September 13, 2023.
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 the Zoning Hearing Officer finds that petitioner has demonstrated evidence for a Variation to reduce the interior side setback for a new generator from 9 feet to approximately 6 feet.
- B. That petitioner testified that they require a home generator to protect their property, as their sump pump has failed multiple times due to power outages.
- C. That petitioner testified that the only location to place the proposed generator is approximately 6 feet from the interior side property line, which is in line with the existing A/C condenser.
 - a. Furthermore, that petitioner testified that they attempted to place the generator in the rear of the subject property, however due to the close proximity of the subject home's windows, a generator could not be located on that side of the house.
- D. That the Zoning Hearing Officer finds that petitioner has demonstrated evidence for a Variation to reduce the interior side setback for a new generator from 9 feet to approximately 6 feet, as the only location to place the proposed generator is on the side of the subject home, approximately 6 feet from the interior side property line.

STANDARDS FOR VARIATIONS:

**Per Zoning Code Section 37-1411.3*

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 generator 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 demonstrated** that the proposed generator will not increase in the hazard from fire or other dangers and that they will receive a building permit for the proposed generator.
- c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed generator will not diminish the value of land and buildings throughout the County and is an added benefit to the neighborhood.
- d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the proposed generator will be located behind the front wall of the subject house and therefore will not impact traffic.
- e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the proposed generator will not increase the potential for flood damages to adjacent properties.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the proposed generator 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 generator will be an added benefit to the neighborhood, and will 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-23-000064 Szul	
ZONING REQUEST	Variation to reduce the interior side setback for a new generator from 9 feet to approximately 6 feet.	
OWNER	DALE AND MARY SZUL, 3N188 TIMBERLINE DRIVE, WEST CHICAGO, IL 60185	
ADDRESS/LOCATION	3N188 TIMBERLINE DRIVE, WEST CHICAGO, IL 60185	
PIN	01-27-303-023	
TWSP./CTY. BD. DIST.	WAYNE	DISTRICT 6
ZONING/LUP	R-3 SF RES	0-5 DU AC
AREA	0.73 ACRES (31,799 SQ. FT.)	
UTILITIES	WELL AND SEPTIC	
PUBLICATION DATE	Daily Herald: AUGUST 29, 2023	
PUBLIC HEARING	WEDNESDAY, SEPTEMBER 13, 2023	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	No Objections.	
Stormwater:	No Objections with the concept of the petition. Additional information may be required at time of permit application.	
Public Works:	Our office has no jurisdiction in this matter.	
EXTERNAL:		
City of West Chicago:	<i>No Comments Received.</i>	
Village of Wayne:	<i>No Comments Received.</i>	
Village of Carol Stream:	"No Comments"	
Wayne Township:	<i>No Comments Received.</i>	
Township Highway:	<i>No Comments Received.</i>	
West Chicago Fire Dist.:	<i>No Comments Received.</i>	
Sch. Dist. 33:	<i>No Comments Received.</i>	
Forest Preserve:	"The Forest Preserve District of DuPage County staff has reviewed the information provided in this notice and due to the sizable distance between the subject property and District property, we do not have specific comments. Thank you."	

GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Int. Side Yard:	9 FT	NA	6 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	TIMBERLINE DRIVE AND BEYOND R-3 SF RES	HOUSE	0-5 DU AC
West	R-3 SF RES	HOUSE	0-5 DU AC



