



DU PAGE COUNTY

Development Committee

Final Regular Meeting Agenda

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

Tuesday, August 15, 2023

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. [23-2713](#)
Development Committee - Regular Meeting - Tuesday, August 11, 2023
6. REGULATORY SERVICES
 - 6.A. [23-2714](#)
SZE-23-000006 Chicago Kali Bari Maharashtra Mandal Chicago (MMC) Performance:
To approve the special event action item:
CKB Chicago Kali Bari, in association with Maharashtra Mandal Chicago (MMC), is planning an outdoor performance on Saturday, August 26, 2023, between the hours of 1:00 P.M. and 6:00 P.M. (Milton/ District 4) (Generally located northeast of Butterfield Road and Route 53, on the east side of Route 53)
 - 6.B. [DC-O-0036-23](#)
ZONING-23-000033 – Christiansen: The Zoning Hearing Officer recommended to deny the following zoning relief:
Conditional Use to allow an existing Rooster to be considered as a pet. (Lisle/ District 2) (Generally located southeast of Warrenville Road and Ivanhoe Avenue, on the east side of Ivanhoe Avenue)
ZHO Recommendation to Deny
 - 6.C. [DC-O-0037-23](#)
ZONING-23-000035 – Eckler: The Zoning Hearing Officer recommended to deny the following zoning relief:
Conditional Use to allow existing camper/RV to remain parked within the 30' corner side setback (approximately 15' from corner side property line) on the rear driveway. (Winfield/ District 6) (Located at the northeast corner of Bolles Avenue and Morningside Avenue)
ZHO Recommendation to Deny

6.D. [DC-O-0038-23](#)

ZONING-23-000039 – Kuczkowski: The Zoning Hearing Officer recommended to bifurcate the following zoning relief:

The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to reduce the corner side setback for a detached garage from permitted 30' to approximately 11.'

ZHO Recommendation to Approve

The Zoning Hearing Officer recommended to deny the following zoning relief:

Variation to increase the height of a detached garage from permitted 15' to approximately 23.5'. (Downers Grove/ District 3) (Located at the southwest corner of Sherman Avenue and Jefferson Avenue)

ZHO Recommendation to Deny

6.E. [DC-O-0039-23](#)

ZONING-23-000043 – Village Theatre Guild: The Zoning Board of Appeals recommended to approve the following zoning relief:

1. Conditional Use to allow an electronic message center sign.

2. Variation to increase height of an existing sign from permitted 10' to existing 11.5' (sign height not changing – only changing static sign to electronic message center sign). (Milton/District 4) (Located northwest of Butterfield Road and Park Boulevard, on the west side of Park Boulevard)

ZBA VOTE (to Approve): 6 Ayes, 0 Nays, 1 Absent

6.F. [23-2673](#)

Recommendation for approval of a contract to Harris Govern, for annual software maintenance and support services, as needed, for the period of April 1, 2023 through March 31, 2024, for Building & Zoning - \$9,306.52, Division of Transportation - \$5,583.91 and Public Works - \$1,861.30, for a contract total amount not to exceed \$16,751.73; per 55 ILCS 5/5-1022 "Competitive Bids" (c) not suitable for competitive bids - Sole Source. (Support for Govern System.)

7. PRESENTATION7.A. [23-2715](#)

FY24 Building and Zoning Budget Discussion

8. OLD BUSINESS**9. NEW BUSINESS****10. ADJOURNMENT**



Minutes

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

File #: 23-2713

Agenda Date: 8/15/2023

Agenda #: 5.A.



DU PAGE COUNTY

Development Committee

Final Summary

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

Tuesday, August 1, 2023

10:30 AM

ROOM 3500B

1. CALL TO ORDER

2. ROLL CALL

PRESENT	Chaplin, Gustin, Krajewski, Rutledge, and Tornatore
ABSENT	Ozog

3. CHAIRMAN'S REMARKS- CHAIR TORNATORE

Chair Tornatore reminded the Committee of the discussion about the County adopting a grass ordinance a few weeks ago. Counsel provided him with a copy of a provision in the County Code where the Board can provide for cutting of weeds in subdivisions. He added that essentially there is a mechanism in place and would leave it up to the Committee if there would be further discussion about a future ordinance.

4. PUBLIC COMMENT

Ray Shenudo spoke in support of Zoning Petition 23-000021 Malinin. He told the Committee they are not seeking to reduce the lot size, just the orientation. The reason for the variation is needed, because if divided vertically instead of horizontally, it will create long, narrow lots, instead of more square shaped lots.

Mike Roth, Attorney for JB Capital Management, LLC and spoke on behalf of petition 23-000040. The matter received from the Zoning Board of Appeals, a unanimous recommendation to approve the petition. He shared that this is a legal non-conforming property and they are wanting to sell the two buildings to separate owners and this is the way to make this legal. The exceptions noted in the report are already existing conditions.

Mike Zawislak spoke in support of the Malinin petition. The lots are configured in a east/west orientation and the petitioner is asking for the division to be configured north/south to create a more desirable, marketable lot for building a new home.

The online submission for public comment from this Development Committee meeting are included for the record in their entirety. It can be found at the back of the minutes packet.

5. MINUTES APPROVAL

5.A. [23-2496](#)

Development Committee - Regular Meeting - Tuesday, July 11, 2023

Attachments: [Summary Meeting Minutes](#)

RESULT:	APPROVED
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MOVER:	Brian Krajewski
SECONDER:	Liz Chaplin
AYES:	Chaplin, Gustin, Krajewski, Rutledge, and Tornatore
ABSENT:	Ozog

6. REGULATORY SERVICES

6.A. [23-2497](#)

ZSE-23-000005 Abhyudaya Retreat Center Wedding: To approve the special event action item:

A wedding ceremony and two (2) pre-wedding events to be held at the Abhyudaya Retreat Center on September 2, 2023 and September 3, 2023 for between 200-220 guests. (Downers Grove/ District 3) (Generally located northwest of Route 83 and Bluff Road)

Attachments: [ZSE-23-000005 Abhyudaya Retreat Center Wedding \(08-01-2023\).pdf](#)

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Brian Krajewski
AYES:	Chaplin, Gustin, Krajewski, Rutledge, and Tornatore
ABSENT:	Ozog

6.B. [DC-O-0031-23](#)

ZONING-23-000021 – Malinin: To approve the following zoning relief:

- Variation to reduce the required lot width from required 165' to approximately 145.3' for Lot 1 and 145.3 for Lot 2.
- Variation to reduce the required lot size from required 100,000 sq. ft. to approximately 34,635 sq. ft. for Lot 1 and 34,632 sq. ft. for Lot 2. (Downers Grove/ District 3) (If the County Board seeks to approve the zoning relief it will require a $\frac{3}{4}$ majority vote {14 votes} to approve based on the recommendation to deny by the Zoning Hearing Officer)

ZHO Recommendation to Deny

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

Attachments: [Z-23-000021 Malinin Cty. Bd. \(08-08-2023\)_Redacted.pdf](#)

Member Krajewski received a call about this case and noted that similar cases have been approved before, so why the recommendation to deny? There was a concern raised from the Village of Burr Ridge that the developer was trying to avoid the Vine Street recapture fee, but was not opposed to the lot reconfiguration. Chair Tornatore added that the electronic comment received was from neighbors in opposition to this petition.

Member Rutledge inquired if any previous zoning relief was granted on this property. Paul Hoss answered no and explained that when these lots were originally divided the zoning designation of R-1 did not exist. The lots are legal and buildable. They are historic lots of record and legal non-conforming. When the lots are reconfigured, they will lose that legal non-conforming designation and variations are required. The lot sizes are going to be the same, the lot widths are the same, they are going to be reconfigured, north and south. He added the hardship and practical difficulty on these lots is the vacant lot to the north, it is heavily wooded and has a rise of about 7 feet. By reconfiguring the lots north to south, they will have a more buildable lot for a new home.

RESULT:	APPROVED AT COMMITTEE
MOVER:	Brian Krajewski
SECONDER:	Liz Chaplin
AYES:	Chaplin, Gustin, Krajewski, Rutledge, and Tornatore
ABSENT:	Ozog

6.C. [DC-O-0032-23](#)

ZONING-23-000028 – Catie’s Place, LLC.: To approve the following zoning relief: Variation to reduce the required parking spaces for a Class A Restaurant from 19 parking spaces to 10 parking spaces. (York/District 2) (If the County Board seeks to approve the zoning relief it will require a ¾ majority vote {14 votes} to approve based on the recommendation to deny by the Zoning Board of Appeals)
ZBA VOTE (to Deny): 4 Ayes, 2 Nays, 1 Absent
Development Committee VOTE (Motion to Approve Failed): 0 Ayes, 5 Nays, 1 Absent

Attachments: [Z-23-000028 Catie's Place, LLC. Cty. Bd. \(08-08-2023\) Redacted.pdf](#)

Paul Hoss explained that the County defaults to the state laws for video gaming establishments, which requires a liquor license. The petitioner presented they will operate a Class A restaurant with video gaming and that the other businesses in the strip mall close by 6-7 p.m. This would free up parking spaces in the evening, but technically they don't meet the parking regulations. The ZBA recognized that if the gaming establishment closed and another Class A restaurant moved in, they would most likely not operate as the video gaming establishment did.

Chair Tornatore pointed out that a variation runs with the land and could impact future businesses in this strip mall. There is the another possibility of the petitioner asking for a conditional use, for just gaming establishments.

RESULT:	DEFERRED
MOVER:	Liz Chaplin

SECONDER:	Sheila Rutledge
NAY:	Chaplin, Gustin, Krajewski, Rutledge, and Tornatore
ABSENT:	Ozog

6.D. [DC-O-0033-23](#)

ZONING-23-000030 – Bakas: To approve the following zoning relief:
Variation to allow a 6'/100% closed (privacy) fence within the 10' corner side yard setback. (Lisle/District 2)
ZHO Recommendation to Approve
Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

Attachments: [Z-23-000030 Bakas Cty. Bd. \(08-08-2023\).pdf](#)

Member Chaplin, stated she is concerned about corner properties having 100% closed fences, causing blind spots. Mr. Hoss referred Committee Members to a map inside the packet. After explaining the unusual set up for the subject property and the property behind it, Members could see there was no line of sight issue.

RESULT:	APPROVED AT COMMITTEE
MOVER:	Brian Krajewski
SECONDER:	Patty Gustin
AYES:	Chaplin, Gustin, Krajewski, Rutledge, and Tornatore
ABSENT:	Ozog

6.E. [DC-O-0034-23](#)

ZONING-23-000031 – Eiternick: To approve the following zoning relief:
Conditional Use to allow existing deck structure to remain less than 3 feet (approximately 1 foot) from the interior side property line, where it has existed for at least 5 years. (Addison/ District 1)
ZHO Recommendation to Approve
Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

Attachments: [Z-23-000031 Eiternick Cty. Bd. \(08-08-2023\) Redacted.pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Patty Gustin
SECONDER:	Liz Chaplin
AYES:	Chaplin, Gustin, Krajewski, Rutledge, and Tornatore
ABSENT:	Ozog

6.F. [DC-O-0035-23](#)

ZONING-23-000040 – JB Capital Management, LLC.: To approve the following zoning relief:

Conditional Use with exceptions for the existing buildings and improvements:

1. Exception from 40’ required front yard setback from Jeans Road (widened in 1992) on proposed Lot 1 to approximately 0’.
2. Exception from 20’ required rear yard setback on proposed Lot 1 to approximately 14.53’.
3. Exception to allow parking in existing 40’ corner side yard on proposed Lot 1.
4. Exception to allow parking in existing 20’ interior side yard on proposed Lot 1.
5. Exception from 20’ required interior side yard setback on proposed Lot 2 to approximately 16.12’.
6. Exception from 20’ required interior side yard setback on proposed Lot 2 to approximately 15’. (Downers Grove/ District 3)

ZBA VOTE (to Approve): 5 Ayes, 0 Nays, 2 Absent

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

Attachments: [Z-23-000040 J B Capital Management, LLC. Cty. Bd. \(08-08-2023\).pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Sheila Rutledge
SECONDER:	Liz Chaplin
AYES:	Chaplin, Gustin, Krajewski, Rutledge, and Tornatore
ABSENT:	Ozog

8. OLD BUSINESS

No old business was discussed.

8. NEW BUSINESS

No new business was discussed.

10. ADJOURNMENT

Motion was made by Vice-Chair Rutledge, seconded by Member Chaplin and without objection the Development Committee meeting was adjourned at 11:22 a.m.

11. ROLL CALL

PRESENT	Chaplin, Gustin, Krajewski, Rutledge, and Tornatore
ABSENT	Ozog

12. CHAIRMAN'S REMARKS- CHAIR TORNATORE

Chair Tornatore went over the procedures of the hearing and informed the Committee Members that there was a previous appeal hearing on this permit last year.

13. PUBLIC COMMENT

No public comments were offered.

14. ADMINISTRATIVE APPEAL HEARING14.A. **23-2498**

Action Item - Request by VB BTSII, LLC for Appeal of the Building Official's decision on issuance of a new building permit under Building Code Section 8-112.6's Exception after revocation of Permit Number T69474

Attachments:

[Medinah Spring Valley Cell Tower 2nd Appeal Memo for Development Committee 8-1-2023.pdf](#)

[Rejection Letter to Vertical Bridge 7-10-2023.pdf](#)

[June 26 2023 Appeal Packet from VTB.pdf](#)

[Corrected Notice of Appeal of 7-10-23 Final Administrative Decision.pdf](#)

[4886-1222-4099.2 - Final Administrative Decision.wExhibits from DuPage County 2023-49_Redacted.pdf](#)

[4865-7270-6161.2 - Snipped Image of Lot 171.pdf](#)

Jim Stran explained that a permit was issued in July, 2022. Prior to it being issued, a bond receipt from Bloomingdale Township was submitted by the applicant to obtain the permit. The permitting process was delayed to litigation. Unbeknownst to the County the township bond had expired, the permit was rescinded due to not meeting the requirement of either a waiver or receipt of a paid bond. There was a hearing last November, to reconsider our position. The County did not reissue the permit. Vertical Bridge has submitted a amended application asking to re-evaluate our position based on the exception to section 112.6. Mr. Stran stated the County's position is that this section would not apply to this permit, and denied the re-issue of the permit.

Melanie Chico, Counsel for Vertical Bridge presented their appeal. Her client leased land to build a cell tower and needed to build a construction road from the cell tower site to Spring Valley Drive and Glendale Road. The County revoked the permit, based on the lack of a Township access permit. Initially the township had issued a permit and then changed positions, after citizens had lost a lawsuit challenging the validity of the lease on the property. The Township then claimed they owned the easement area where the access road was to be built. The township advised Vertical Bridge they would need to enter into a lease with the Township, which would be subject to a vote. Earlier this year the county updated their GIS maps, showing this easement area is part of Lot 171, which Vertical Bridge is leasing. In March the Township, though still claiming ownership of the easement, would allow the work, however they set some conditions, including a \$7,500 bond and that another route be used other then over this easement. Vertical Bridge has asked that the County apply the exception based on these new developments. She thanked the Committee for their consideration.

Jim Stran responded that the County is not taking a position on the ownership of Lot 171. Our ordinance requires us to have a bond receipt or waiver issued by the authority having jurisdiction over the right-of-way. The Township has not issued any document to the County. Assistant State's Attorney Nicholas Alfonso referred to the Illinois Highway Code Section 9-113 supporting the County's decision.

Counsel rebutted, that the Township is no longer raising an issue with the right-of-way, so the exception should apply.

A discussion ensued.

RESULT:	DEFEATED
MOVER:	Sheila Rutledge
SECONDER:	Liz Chaplin
NAY:	Chaplin, Krajewski, Rutledge, and Tornatore
ABSENT:	Gustin, and Ozog

15. OLD BUSINESS

No old business was discussed.

16. NEW BUSINESS

No new business was discussed.

17. ADJOURNMENT

With no further business, the Building Board of Appeals meeting was adjourned at 11:42 a.m.



Action Item

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

File #: 23-2714

Agenda Date: 8/15/2023

Agenda #: 6.A.



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

630-407-6700
Fax: 630-407-6702

www.dupageco.org/building

MEMORANDUM

TO: DuPage County Development Committee

FROM: Staff

DATE: August 15, 2023

RE: **ZSE-23-000006 Chicago Kali Bari Maharashtra Mandal Chicago (MMC) Performance (PIN: 05-25-307-023) (Milton/ District 4)**

Action: To approve ZSE-23-000006 Chicago Kali Bari Maharashtra Mandal Chicago (MMC) for an outdoor performance on Saturday, August 26, 2023, between the hours of 1:00 P.M. and 6:00 P.M.

The performance will be located on the grounds of Chicago Kali Bari, 2S511 IL Route 53, Glen Ellyn IL 60137-7175, which is located within Milton Township and the Lisle-Woodridge Fire Protection District. This performance will end before DuPage County mandated quiet hours. The performance will consist of non-amplified noise / amplified noise and musical instruments.

The Special Event will consist of the following and the applicant has provided the following pursuant to the special event requirements of the Zoning Ordinance:

Date	Saturday, August 26, 2023
Hours	Approximately between the hours of 1:00 P.M. and 6:00 P.M.
Activities	Musical Performance
Location	Chicago Kali Bari, 2S511 IL Route 53, Glen Ellyn IL 60137-7175
Traffic/Parking	All parking will occur in existing Chicago Kali Bari parking lot.
Insurance	RJM INSURANCE AND FINANCIAL SERVS, INC. / SENTINL INSURANCE COMPANY LTD. IN THE AMOUNT OF \$1,000,000.



**DUPAGE
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BUILDING & ZONING DEPARTMENT

630-407-6700
Fax: 630-407-6702

www.dupageco.org/building

Dear Mr. Paul Hoss,

CKB Chicago Kali Bari, located at 2S511 IL Route 53, Glen Ellyn IL 60137-7175, in association with Maharashtra Mandal Chicago (MMC) is planning a outdoor performance for an event on Saturday, 08/26/2023 between the hours of 1:00 pm and 6:00 pm CT. It will be performed on the grounds of Chicago Kali Bari, 2S511 IL Route 53, Glen Ellyn IL 60137-7175, which is located within Milton Township and the Lisle-Woodridge Fire Protection District, in unincorporated area of the Village of Glen Ellyn, within DuPage County, IL. This performance will end before DuPage County mandated quiet hours. The performance will consist of non-amplified noise / amplified noise and musical instruments.

The performance will be performed by the Maharashtra Mandal Chicago (MMC), with the responsible person listed as Mr. Prasad Athanikar, President, MMC 2023, with the contact information of 4123 Chinaberry Ln, Naperville, IL 60564, Phone number: 309-531-0541. A copy of the Certificate of Liability Insurance for this performance is attached for your records, with Maharashtra Mandal Chicago and the venue Chicago Kali Bari listed as named insured.

Should you have any further questions, please do not hesitate to call me at 309-531-0541.

Warm Regards,

Prasad Athanikar

President, MMC 2023



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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/26/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER RJM INSURANCE & FINANCIAL SRVS INC 83511985 3510 HOBSON ROAD SUITE 301 WOODRIDGE IL 60517		CONTACT NAME: PHONE (630) 737-1778 FAX (630) 737-1778 E-MAIL ADDRESS:	
INSURED MAHARASHTRA MANDAL OF CHICAGO 2071 GARDNER CIR E AURORA IL 60503		INSURER(S) AFFORDING COVERAGE INSURER A: General Insurance Company Ltd 11000 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES: CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

RSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR SVCS	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> General Liability GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC <input type="checkbox"/> OTHER	X		83 SBM 1M5008	10/05/2022	10/06/2023	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP / Any one person \$10,000 PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/CP AGG \$4,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY / Per person BODILY INJURY / Per accident PROPERTY DAMAGE / Per accident
	UMBRELLA LIAB EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE AGGREGATE
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		W/A				<input type="checkbox"/> PER <input type="checkbox"/> STATUTE <input type="checkbox"/> OTHER EL EACH ACCIDENT EL DISEASE - EA EMPLOYEE EL DISEASE - POLICY LIMIT
A	EMPLOYMENT PRACTICES LIABILITY			83 SBM 1M5008	10/05/2022	10/06/2023	Each Claim Limit \$10,000 Aggregate Limit \$10,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Those usual to the Insured's Operations. Certificate holder is an additional insured per the Business Liability Coverage Form SS0008 attached to this policy.

CERTIFICATE HOLDER Chicago Kali Bari (CKB) Temple Priests, Volunteers, Employees 25511 Illinois 53 Glen Ellyn IL 60137	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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ACORD 25 (2016/03)

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Development Ordinance

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

File #: DC-O-0036-23

Agenda Date: 8/15/2023

Agenda #: 6.B.



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BUILDING & ZONING DEPARTMENT

630-407-6700
Fax: 630-407-6702

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MEMORANDUM

TO: DuPage County Development Committee
FROM: DuPage County Zoning Hearing Officer
DATE: June 28, 2023
RE: **ZONING-23-000033 Christiansen (Lisle/District 2)**

Development Committee: August 15, 2023:

Zoning Hearing Officer: June 28, 2023: The Zoning Hearing Officer recommended to deny the following zoning relief:

Conditional Use to allow an existing Rooster to be considered as a pet.

ZHO Recommendation to Deny

FINDINGS OF FACT:

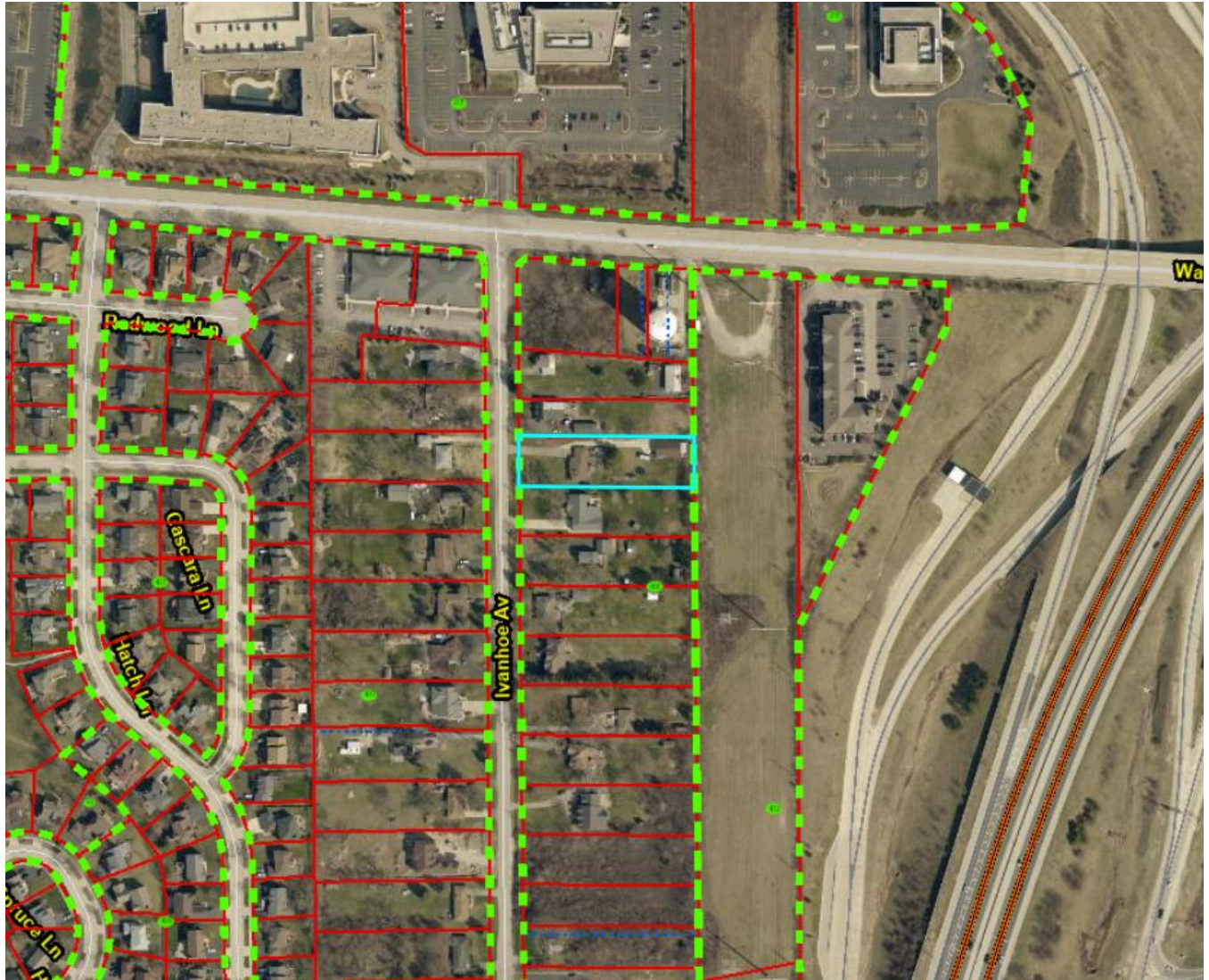
- A. That petitioner testified that the subject zoning relief is to allow an existing Rooster to be considered as a pet on the subject property.
- B. That petitioner testified that they currently have five (5) hens and one (1) rooster on the subject property.
- C. That petitioner testified that they consider the subject rooster a family pet.
- D. That Hearing Officer finds that petitioner has not demonstrated or provided evidence for a Conditional Use to allow an existing rooster to be considered as a pet on the subject property.
 - a. In addition, approval of the subject zoning relief without sufficient evidence provided by the petitioner would essentially upend and diminish the previously approved “hens” text amendment, as the text amendment to allow up to five (5) hens as a permitted use was approved relatively recently in 2020.

STANDARDS FOR CONDITIONAL USES:

1. That the Zoning Hearing Officer finds that petitioner **has not 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 not demonstrated** or provided evidence that a rooster on the subject property would 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 not demonstrated** or provided evidence that a rooster on the subject property would not increase the hazard from fire or other dangers.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has not demonstrated** or provided evidence that a rooster on the subject property would not diminish the value of land.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has not demonstrated** or provided evidence that a rooster on the subject property would not increase traffic congestion in the public streets and highways.
 - e. Increase the potential for flood damages to adjacent property as petitioner **has not demonstrated** or provided evidence that a rooster on the subject property would not increase the potential for flood damages to adjacent properties.
 - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has not demonstrated** or provided evidence that a rooster on the subject property would not incur additional public expense for flood protection.
 - g. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County as petitioner **has not demonstrated** or provided evidence that a rooster on the subject property would 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.

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	R-4 SF RES	COMED/UTILITIES	OPEN SPACE
West	IVANHOE AVENUE AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC





4317 Ivanhoe Ave Lisle
plan

Our area is surrounded by very busy highways, our street, power lines and a water tower.
The ambient sound is very high

The rooster is kept inside until 9am and returns inside anywhere from 5pm in the winter to 8pm in the summer, he only crows if something is making noise above and beyond normal sounds. ie a company is working on the water tower. When he is inside the chicken coop his crow cannot be heard from outside.

Without a rooster we are not able to be self reliant chicken keepers and would have to source new chickens from outside our area.

He is kept in a fenced in area and is harmless.

We are in the process of also trying to join the 4h and share our chicken experiences with others.

Sent: Wednesday, June 28, 2023 11:41 AM
To: Infelise, Jessica
Subject: Hearing today

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

Is there a zoom phone # that you could send me for the hearing about 4317 Ivanhoe? I will only be available part of the time via phone due to a dental appointment.

Can I send you my comment, as I may not be able to comment? My only comment is that I never hear the rooster, and have absolutely no problem with her having a rooster as a pet.

Thanks,
Aileen Eilert

[Sent from Yahoo Mail for iPhone](#)



Development Ordinance

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

File #: DC-O-0037-23

Agenda Date: 8/15/2023

Agenda #: 6.C.



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

630-407-6700
Fax: 630-407-6702

www.dupageco.org/building

MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Hearing Officer

DATE: June 28, 2023

RE: **ZONING-23-000035 Eckler (Winfield/District 6)**

Development Committee: August 15, 2023:

Zoning Hearing Officer: June 28, 2023: The Zoning Hearing Officer recommended to deny the following zoning relief:

Conditional Use to allow existing camper/RV to remain parked within the 30' corner side setback (approximately 15' from corner side property line) on the rear driveway

ZHO Recommendation to Deny

FINDINGS OF FACT:

- A. That petitioner testified that the subject zoning relief is to allow an existing camper/RV to remain parked within the 30' corner side setback (approximately 15' from corner side property line) on the rear driveway.
- B. That petitioner testified that she purchased the camper/RV in January/February 2023.
- C. That petitioner testified that she parks the subject camper/RV east-west alongside the existing shed.
- D. That petitioner testified that she cannot park the subject camper/RV further to the east (facing an east-west direction) meeting the setback due to the existing septic system.
 - a. Furthermore, that petitioner testified that she would not like to park the subject camper/RV facing a north-south direction and at least 30 feet back from the corner side property line because she would consider that an eyesore.
- E. That Hearing Officer finds that petitioner has not demonstrated or provided sufficient evidence to allow an existing camper/RV to remain parked within the 30' corner side setback (approximately 15' from corner side property line) on the rear driveway.

- a. In addition, that Hearing Officer finds that not parking the subject camper/RV in the buildable area because it would be considered an eyesore to the petitioner is not a valid reasoning for a Conditional Use and does not demonstrate the evidence required to approve a Conditional Use.

STANDARDS FOR CONDITIONAL USES:

1. That the Zoning Hearing Officer finds that petitioner **has not 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 not demonstrated** or provided evidence that a camper/RV to remain parked within the corner side setback would 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 not demonstrated** or provided evidence that a camper/RV to remain parked within the corner side setback would not increase the hazard from fire or other dangers.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has not demonstrated** or provided evidence that a camper/RV to remain parked within the corner side setback would not diminish the value of land.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has not demonstrated** or provided evidence that a camper/RV to remain parked within the corner side setback would not increase traffic congestion in the public streets and highways.
 - e. Increase the potential for flood damages to adjacent property as petitioner **has not demonstrated** or provided evidence that a camper/RV to remain parked within the corner side setback would not increase the potential for flood damages to adjacent properties.
 - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has not demonstrated** or provided evidence that a camper/RV to remain parked within the corner side setback would not incur additional public expense for flood protection.
 - g. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County as petitioner **has not demonstrated** or provided evidence that a camper/RV to remain parked within the corner side setback would not impair the public health, safety, comfort, morals, or general welfare of DuPage County.

PETITIONER'S DEVELOPMENT FACT SHEET

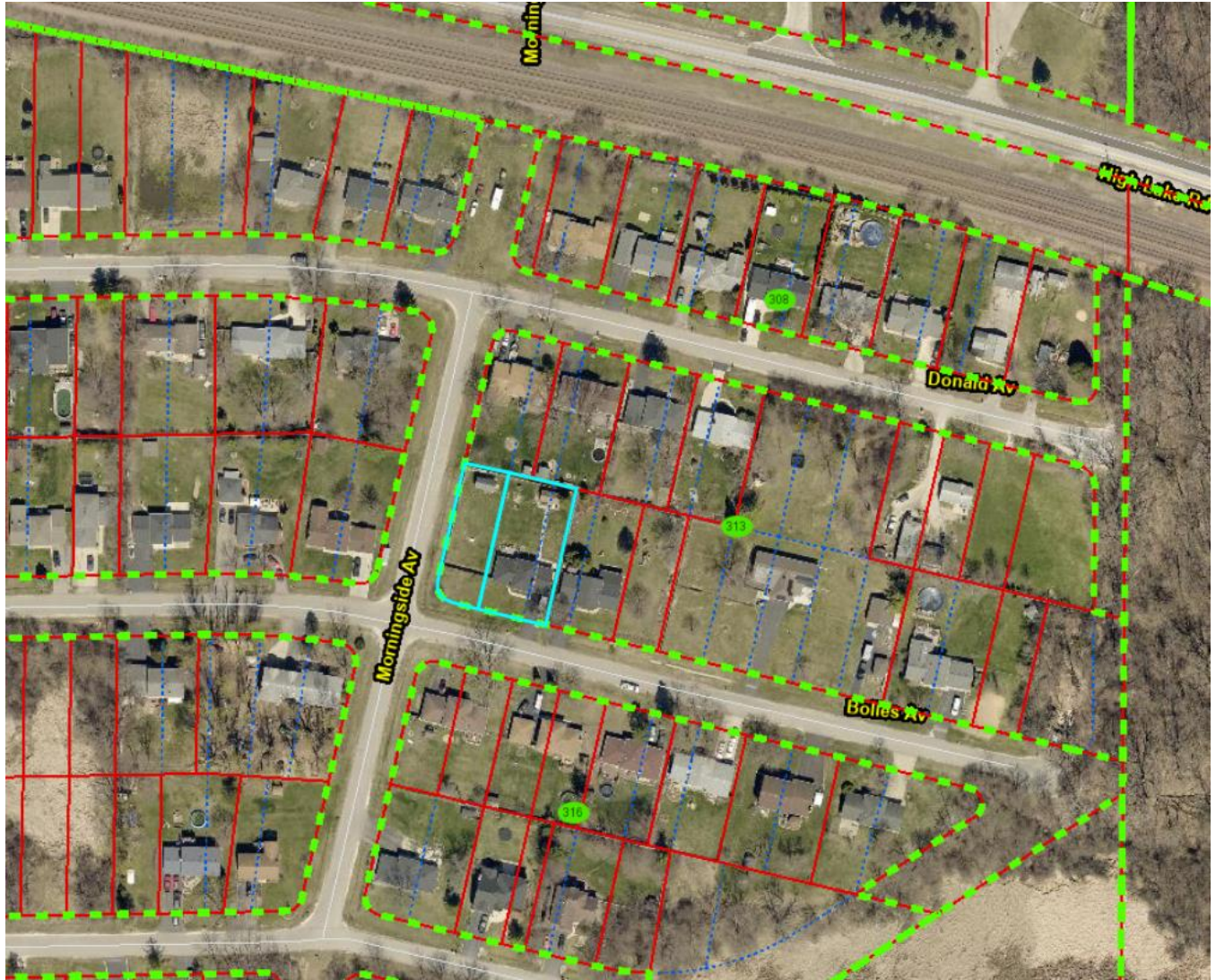
GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-23-000035 Eckler
ZONING REQUEST	Conditional Use to allow existing camper/RV to remain parked within the 30' corner side setback (approximately 15' from corner side property line) on the rear driveway.
OWNER	SHARON ECKLER, 28W504 BOLLES AVENUE, WEST CHICAGO, IL 60185
ADDRESS/LOCATION	28W504 BOLLES AVENUE, WEST CHICAGO, IL 60185
PIN	04-11-313-032/ 04-11-313-014
TWSP./CTY. BD. DIST.	WINFIELD DISTRICT 6
ZONING/LUP	R-4 SF RES 0-5 DU AC
AREA	0.43 ACRES (18,731 SQ. FT.)
UTILITIES	WELL AND SEPTIC
PUBLICATION DATE	Daily Herald: JUNE 13, 2023
PUBLIC HEARING	WEDNESDAY, JUNE 28, 2023
ADDITIONAL INFORMATION:	
Building:	No Objections.
DUDOT:	<i>No Comments Received.</i>
Health:	No Objections.
Stormwater:	Our office has no jurisdiction in this matter.
Public Works:	Our office has no jurisdiction in this matter.
EXTERNAL:	
City of West Chicago:	<i>No Comments Received.</i>
Village of Winfield:	<i>No Comments Received.</i>
Winfield 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. 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 any specific comments. Thank you.”

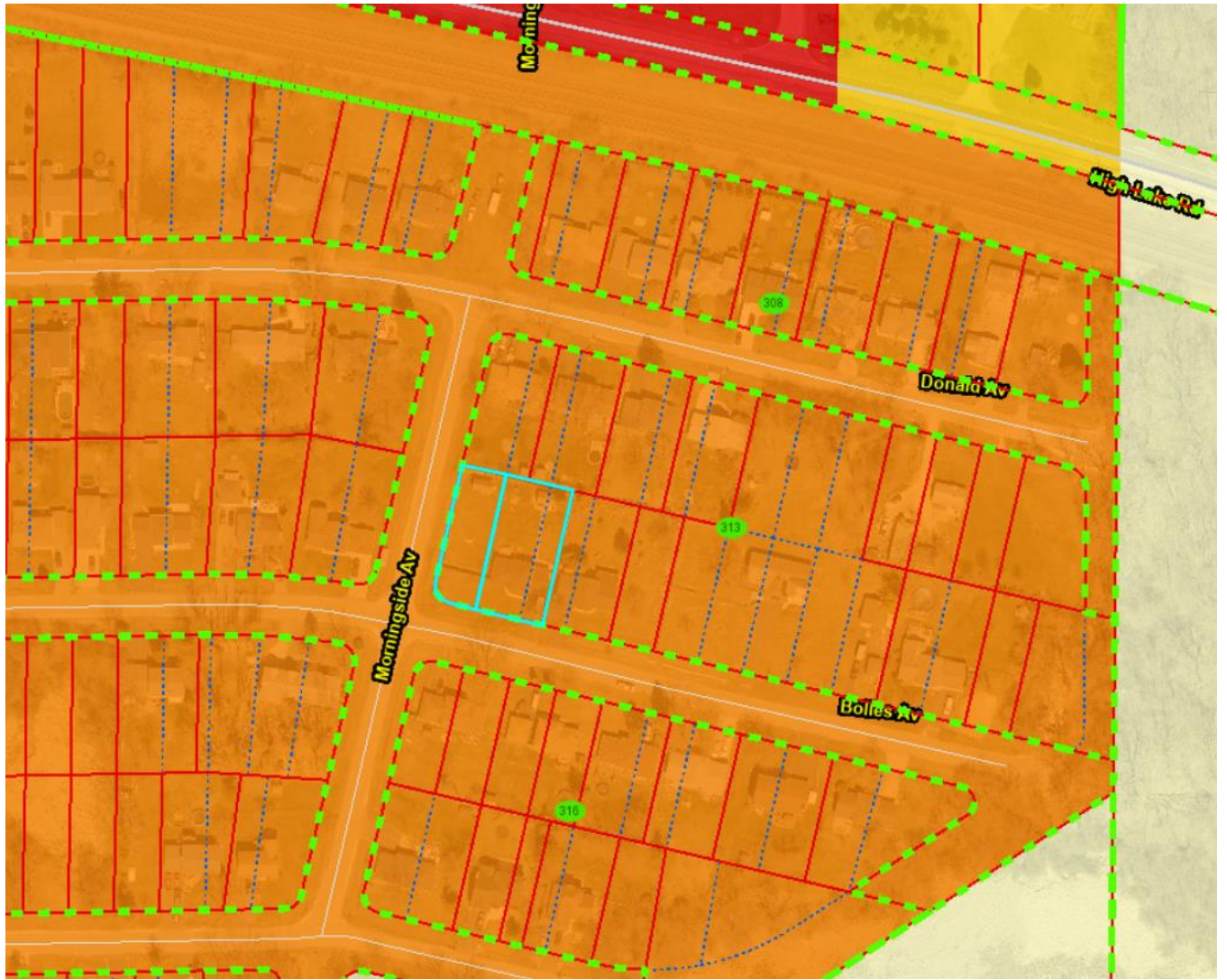
GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Corner Side Yard:	30 FT	APPROX. 15 FT	APPROX. 15 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	BOLLES AVENUE AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
East	R-4 SF RES	HOUSE	0-5 DU AC
West	MORNINGSIDE AVENUE AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC









Development Ordinance

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

File #: DC-O-0038-23

Agenda Date: 8/15/2023

Agenda #: 6.D.



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

630-407-6700
Fax: 630-407-6702

www.dupageco.org/building

MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Hearing Officer

DATE: July 12, 2023

RE: **ZONING-23-000039 Kuczkowski (Downers Grove/District 3)**

Development Committee: August 15, 2023:

Zoning Hearing Officer: July 12, 2023: The Zoning Hearing Officer recommended as follows:

Variation to increase the height of a detached garage from permitted 15' to approximately 23.5'.

ZHO Recommendation to Deny

On July 12, 2023, the Hearing Officer **recommended to approve** the following request: Variation to reduce the corner side setback for a detached garage from permitted 30' to approximately 11.'

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-23-000039 Kuczkowski** dated July 12, 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 petitioner testified that he seeks the subject zoning relief to reduce the corner side setback for a detached garage from 30' to approximately 11' and to increase the height of a detached garage from permitted 15' to approximately 23.5'.

- B. That petitioner testified that he currently does not have a garage on the subject property and that the proposed detached garage would allow him to store his vehicles and household accessory equipment.
- C. That petitioner testified that due to the existing septic tank and leach field on the subject property, the only location to place the proposed detached garage is approximately 11 feet from the corner side property line.
 - a. That petitioner testified that he originally applied for a request to place the detached garage approximately 10' from the corner side property line but amended his site plan due to comments from the Health Department to reduce the width of the detached garage.
- D. That petitioner testified that he requested a variation to increase the height of a detached garage from permitted 15' to approximately 23.5' due to the architectural integrity of the subject property.
 - a. In addition, that petitioner testified that a detached garage at 15' would not architecturally flow with the existing house and dormers, and that the proposed detached garage would have the same architectural dormers as the existing house.
- E. That Hearing Officer finds that petitioner demonstrated evidence for a particular hardship and practical difficulty to reduce the corner side setback of the proposed detached garage to 11', as the only location to place the detached garage is approximately 11 feet from the corner side property line due to the existing septic tank and leach field.
- F. That the Hearing Officer finds that petitioner did not demonstrate evidence for a particular hardship or practical difficulty to increase the height of the proposed detached garage to 23.5', as the architectural integrity of the subject property is not a justification for a particular hardship or practical difficulty for a Variation.

STANDARDS FOR VARIATIONS (HEIGHT OF PROPOSED DETACHED GARAGE):

**Per Zoning Code Section 37-1411.3*

- 1. That the Zoning Hearing Officer finds that petitioner **has not demonstrated** that the granting of the Variation is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's comprehensive plan for development.
- 2. That the Zoning Hearing Officer finds that petitioner **has not demonstrated** the granting of the Variation will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has not demonstrated** or provided evidence that a proposed 23.5' tall, detached garage 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** or provided evidence that a proposed 23.5' tall, detached garage will not increase the hazard from fire or other dangers.
- c. Diminish the value of land and buildings throughout the County as petitioner **has not demonstrated** or provided evidence that a proposed 23.5' tall, detached garage 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** or provided evidence that a proposed 23.5' tall, detached garage setback 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** or provided evidence that a proposed 23.5' tall, detached garage will not increase the potential for flood damages to adjacent properties.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has not demonstrated** or provided evidence that a proposed 23.5' tall, detached garage 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** or provided evidence that a proposed 23.5' tall, detached garage will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County.

STANDARDS FOR VARIATIONS (SETBACK OF PROPOSED DETACHED GARAGE):

**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 location of the proposed detached garage within the corner side yard setback 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 location of the proposed detached garage within the corner side yard setback will not increase the hazard from fire or other dangers.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the location of the proposed detached garage within the corner side yard setback 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 location of the propose detached garage within the corner side yard setback will not unduly increase traffic congestion in the public streets and highways, as petitioners corner side property leads to an unimproved right of way.
- e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the location of the proposed detached garage within the corner side yard setback 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 location of the proposed detached garage within the corner side yard setback 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 location of the proposed detached garage within the corner side yard setback will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County.

PETITIONER'S DEVELOPMENT FACT SHEET

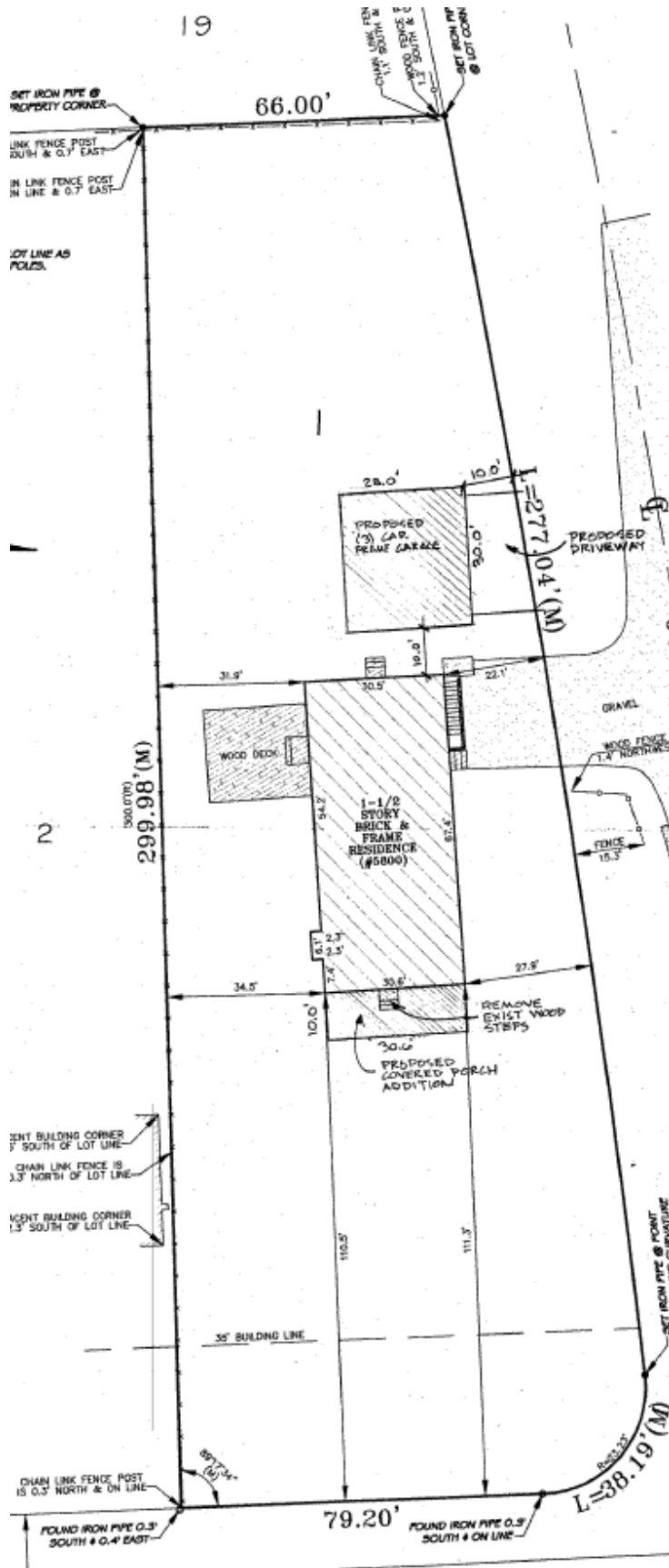
GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-23-000039 Kuczkowski	
ZONING REQUEST	1. Variation to reduce the corner side setback for a detached garage from permitted 30' to approximately 10.' 2. Variation to increase the height of a detached garage from permitted 15' to approximately 23.5'.	
OWNER	JAMES KUCZKOWSKI, 5800 SHERMAN AVENUE, DOWNERS GROVE, IL 60516	
ADDRESS/LOCATION	5800 SHERMAN AVENUE, DOWNERS GROVE, IL 60516	
PIN	09-18-115-010	
TWSP./CTY. BD. DIST.	DOWNERS GROVE	DISTRICT 3
ZONING/LUP	R-4 SF RES	0-5 DU AC
AREA	0.6 ACRES (26,136 SQ. FT.)	
UTILITIES	Water/ Septic	
PUBLICATION DATE	Daily Herald: June 27, 2023	
PUBLIC HEARING	Wednesday, July 12, 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:		
Village of Downers Grove:	Objects. (See attached documentation)	
Village of Lisle:	Our office has no jurisdiction in this matter. "Subject property is not located within the Village of Lisle's Boundary agreement."	
Village of Woodridge:	Our office has no jurisdiction in this matter.	
Downers Grove Township:	<i>No Comments Received.</i>	
Township Highway:	<i>No Comments Received.</i>	
Darien-Woodridge Fire Dist.:	<i>No Comments Received.</i>	
Sch. Dist. 58:	<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 any specific comments. Thank you."	

GENERAL BULK REQUIREMENTS:

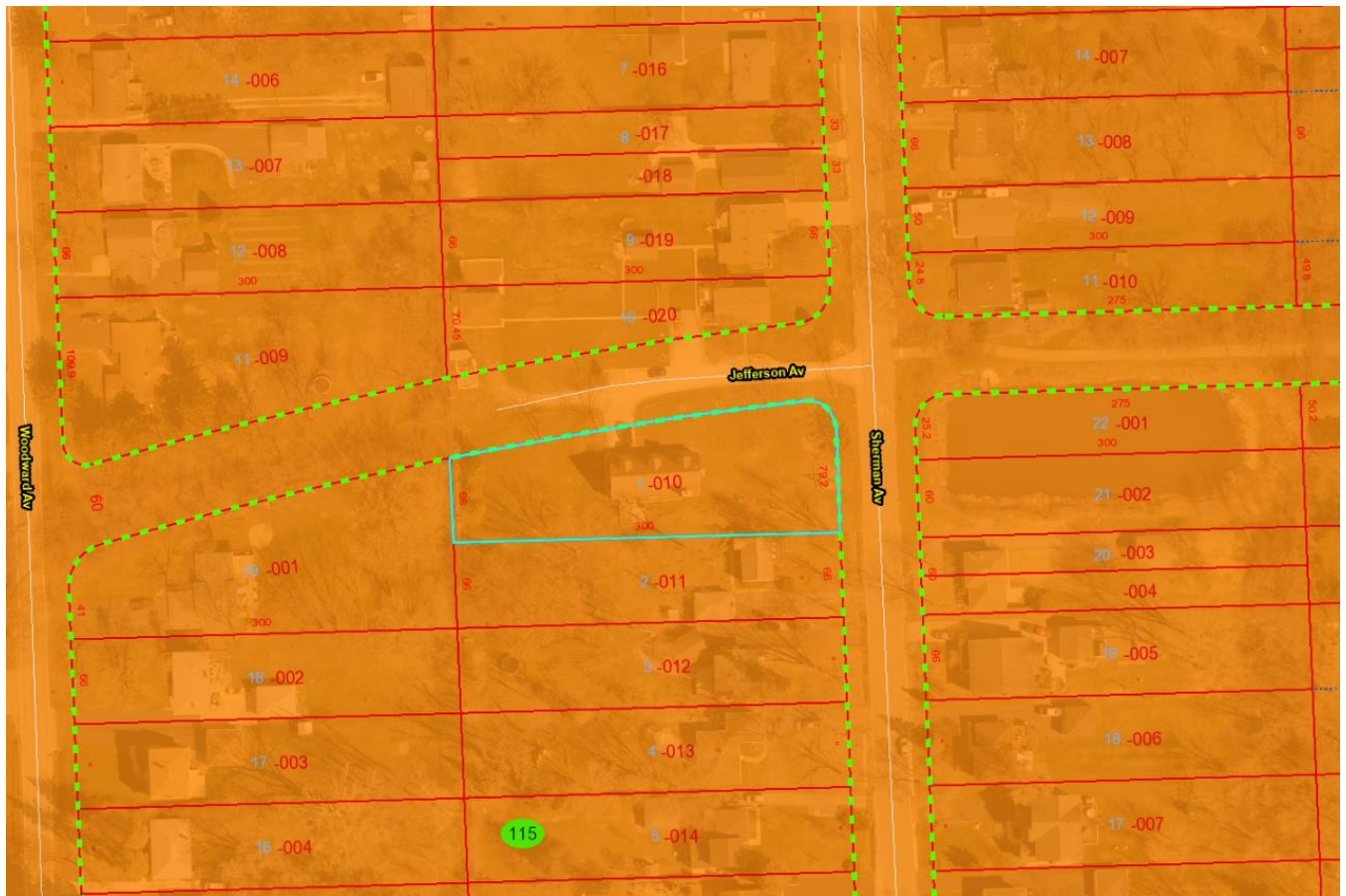
REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Corner Side Yard:	30 FT	22 FT	10 FT

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	HOUSE	0-5 DU AC
North	JEFFERSON AVENUE AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
South	R-4 SF RES	HOUSE	0-5 DU AC
East	SHERMAN AVENUE AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
West	R-4 SF RES	HOUSE	0-5 DU AC









July 5, 2023

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

Re: ZONING-23-000039 Kuczowski
PIN 09-18-115-010, Address 5800 Sherman Avenue

COMMUNITY RESPONSE
CENTER
630.434.CALL.(2255)

Staff has had the opportunity to review the proposed case for the property located at 5800 Sherman Avenue. 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.

CIVIC CENTER
801 Burlington Avenue
Downers Grove
Illinois 60515-4782
630.434.5500
TDD 630.434.5511
FAX 630.434.5571

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 to construct a detached garage, which requires variations from the DuPage County Zoning Ordinance for the proposed corner side setback and height.

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

1. The proposal identifies a 10 foot corner setback for the proposed garage, which would not be permitted in the Village of Downers Grove. Any new accessory structure (or addition) would need to meet the minimum street setback as required by Sec 28.2.030 of the Downers Grove Village Ordinance. In this case the subject property, upon annexation, could be rezoned to R-1 Residential Detached House 1 or R-4 Residential Detached House 4, which would respectively require a 40 foot or 25 foot setback.
2. The proposal identifies a proposed 23.5 height for the detached garage, which would not be permitted in the Village of Downers Grove. Per Sec 28.6.010(a)(6)(f.) of the Downers Grove Village Ordinance, accessory structures are permitted a maximum height of 23 feet.

FIRE DEPARTMENT
ADMINISTRATION
5420 Main Street
Downers Grove
Illinois 60515-4834
630.434.5980
FAX 630.434.5998

The Village of Downers Grove does not recommend approval of the variation requests for the proposed accessory structure. The Village of Downers Grove asks DuPage County to deny the variation request as the case for a hardship has not been proven and placement of the proposed accessory structure is not "in harmony with the general purpose and intent of the Zoning Ordinance" since the setback reduction would noticeably vary from the existing characteristics of the immediate neighborhood and zoning districts.

POLICE DEPARTMENT
825 Burlington Avenue
Downers Grove
Illinois 60515-4783
630.434.5600
FAX 630.434.5690

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,



Jason Zawila, AICP
Planning Manager
Community Development Department

PUBLIC WORKS
DEPARTMENT
5101 Walnut Avenue
Downers Grove
Illinois 60515-4046
630.434.5460
FAX 630.434.5495

Cc: Stan Popovich, Community Development Director

July 7, 2023

Dupage Zoning and Hearing Officer.

Re: Zoning-23-000039 Kuczkowski
Pin 09-18-115-010, Address 5800 Sherman Avenue

Dear Mr. Zawila:

I am writing in regards to the zoning letter I received dated July 5h, 2023 from the Village of Downers Grove.

Please be advised that we were granted a zoning hearing on July 12th, 2023 with the DuPage County Building and Zoning Department; our intention is to have these inquires resolved and rectified by hearing date.

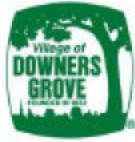
Summary of the specifics of the proposed project, beyond the proposed site plan:

1. I have attached our Plat of Survey, dated March 4th 2002, with the approved location of the existing septic tank and septic field. Due to the location of our septic tank and field, we are requesting a variation for the proposed accessory structure (detached garage) to accommodate our request. For your convenience I have also attached the current Plat of Survey and an aerial photo provided by DuPage County.
2. The variation request for a height change is because we want the new structure to be in harmony with the appearance of the existing house. I believe this information thoroughly explains the reasoning for my variation request.

Please let me know if you have any recommendation or there is anything I can do to get the variation request approved.

Thank you in advance,

James Kuckowski: 



www.downers.us

July 11, 2023

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

Re: ZONING-23-000039 Kuczkowski (Revised Response)
PIN 09-18-115-010, Address 5800 Sherman Avenue

COMMUNITY RESPONSE
CENTER
630.434.CALL (2255)

Staff has had the opportunity to review the proposed case for the property located at 5800 Sherman Avenue. 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.

CIVIC CENTER
801 Burlington Avenue
Downers Grove
Illinois 60515-4782
630.434.5500
TDD 630.434.5511
FAX 630.434.5571

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 to construct a detached garage, which requires variations from the DuPage County Zoning Ordinance for the proposed corner side setback and height.

No summary was provided to determine the specifics of the proposed project, beyond the proposed site plan. If relief or a variance is being requested for this case, no evidence of a hardship was provided for the accessory structure height. Staff has the following comments and concerns:

- 1. The proposal identifies a proposed 23.5 height for the detached garage, which would not be permitted in the Village of Downers Grove. Per Sec 28.6.010(a)(6)(f) of the Downers Grove Village Ordinance, accessory structures are permitted a maximum height of 23 feet.

FIRE DEPARTMENT
ADMINISTRATION
5420 Main Street
Downers Grove
Illinois 60515-4834
630.434.5980
FAX 630.434.5998

The Village of Downers Grove does not recommend approval of the variation request for the proposed accessory structure. The Village of Downers Grove asks DuPage County to deny the variation request as the case for a hardship has not been proven and the height of the proposed accessory structure is not "in harmony with the general purpose and intent of the Zoning Ordinance" since the height 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

POLICE DEPARTMENT
825 Burlington Avenue
Downers Grove
Illinois 60515-4783
630.434.5600
FAX 630.434.5690

Cc: Stan Popovich, Community Development Director

PUBLIC WORKS
DEPARTMENT
5101 Walnut Avenue
Downers Grove
Illinois 60515-4046
630.434.5460
FAX 630.434.5495



Development Ordinance

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

File #: DC-O-0039-23

Agenda Date: 8/15/2023

Agenda #: 6.E.



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

630-407-6700
Fax: 630-407-6702

www.dupageco.org/building

MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Board of Appeals

DATE: August 3, 2023

RE: **ZONING-23-000043 Village Theatre Guild (Milton/District 4)**

Development Committee: August 15, 2023:

Zoning Board of Appeals Meeting: August 3, 2023: The Zoning Board of Appeals considered the following zoning relief:

1. Conditional Use to allow an electronic message center sign.
2. Variation to increase height of an existing sign from permitted 10' to existing 11.5' (sign height not changing – only changing static sign to electronic message center sign).

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-23-000043 Village Theatre Guild** dated July 20, 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.

ZBA VOTE (to Approve): 6 Ayes, 0 Nays, 1 Absent

FINDINGS OF FACT:

1. That petitioner testified that the Village Theatre Guild seeks the subject zoning relief to replace the existing static sign face with an electronic message center sign face.

2. That petitioner testified that the Village Theatre Guild is not altering the height of the forty (40) year old existing sign and that the sign's height is 11.5', as existing.
3. That petitioner testified that the proposed electronic message center sign will not have any music, flashing images, or light spillover onto adjacent properties, and that they will meet all applicable lighting requirements as listed in the DuPage County Zoning Ordinance.
4. That petitioner testified that the purpose of the electronic message center sign is to advertise for Village Theatre Guild events and productions, and that they will not advertise for other businesses.
5. That the Zoning Board of Appeals finds that petitioner has demonstrated evidence for a practical difficulty and unique circumstance in carrying out the strict letter of the regulations of the Zoning Ordinance, due to the sign base/structure existing for over forty (40) years on the subject property at 11.5' in height and furthermore, that petitioner has demonstrated evidence for a Conditional Use to allow an electronic message center sign, as petitioner will only be changing out their static sign face to electronic message center sign face to better advertise performances and productions held by the Village Theatre Guild.

STANDARDS FOR CONDITIONAL USES AND VARIATIONS:

1. That the Zoning Board of Appeals finds that petitioner **has demonstrated** that the granting of the Conditional Use and 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 Conditional Use will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has demonstrated** that the proposed electronic message center sign will not impair an adequate supply of light and air to adjacent properties, as petitioner will be changing out the existing static sign face for an electronic message center sign and that the proposed sign will be located on the existing sign structure/base.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that the proposed electronic message center sign will not increase the hazard from fire or other dangers to said property, as petitioner will be changing out the existing static sign face for an electronic message center sign and that petitioner will receive a building permit for the proposed sign.

- c. Diminish the value of land and buildings throughout the County as petitioner has demonstrated that the proposed electronic message center sign will not diminish the value of land and buildings throughout the County, as the proposed sign will be an added benefit to the surrounding area and will increase 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 electronic message center sign will meet all required setbacks, will adhere to all applicable sign/lighting requirements, which will assist in safe accessibility to the subject property.
- e. Increase the potential for flood damages to adjacent property as petitioner has demonstrated that the proposed electronic message center sign will not increase the potential for flood damages to adjacent properties, as the existing sign base has been located on the subject property for approximately forty (40) years and that petitioner will only be changing out the existing static sign face for an electronic message center sign face.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner has demonstrated proposed electronic message center sign will not incur additional public expense for flood protection, rescue, or relief, as the existing sign base has been located on the subject property for approximately forty (40) years and that petitioner will only be changing out the existing static sign face for an electronic message center sign face.
- 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 electronic message center sign will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County, that the proposed sign will improve the surrounding area, and that the proposed sign will display emergency notifications, such as Amber Alerts.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-23-000043 Village Theatre Guild
ZONING REQUEST	1. Conditional Use to allow an electronic message center sign. 2. Variation to increase height of an existing sign from permitted 10' to existing 11.5' (sign height not changing – only changing static sign to electronic message center sign).
OWNER	VILLAGE THEATRE GUILD LTD, PO BOX 184, GLEN ELLYN, IL 60138/ AGENT: JODY VOGEL, 107 WHITE BIRCH LANE, WESTMONT, IL 60559
ADDRESS/LOCATION	2S720 PARK BOULEVARD, GLEN ELLYN, IL 60137
PIN	05-26-306-006
TWSP./CTY. BD. DIST.	MILTON DISTRICT 4
ZONING/LUP	O-OFFICE OFFICE LOW/ INSTITUTIONAL
AREA	1.25 ACRES (54,450 SQ. FT.)
UTILITIES	WATER/SEWER
PUBLICATION DATE	Daily Herald: JULY 5, 2023
PUBLIC HEARING	THURSDAY, JULY 20, 2023
ADDITIONAL INFORMATION:	
Building:	No Objections.
DUDOT:	<i>No Comments Received.</i>
Health:	Our office has no jurisdiction in this matter.
Stormwater:	No Objections.
Public Works:	Our office has no jurisdiction in this matter.
EXTERNAL:	
Village of Glen Ellyn:	<i>No Comments Received.</i>
Village of Lombard:	“As this is outside of our planning jurisdiction, we have no comments on the petition.”
Village of Downers Grove:	<i>No Comments Received.</i>
City of Wheaton:	<i>No Comments Received.</i>
Village of Lisle:	Our office has no jurisdiction in this matter. “Subject property is not located within the Village of Lisle’s boundary agreement.”
Milton Township:	<i>No Comments Received.</i>
Township Highway:	Our office has no jurisdiction in this matter.
Lisle-Woodridge Fire Dist.:	“N/A”
Sch. Dist. 89:	<i>No Comments Received.</i>

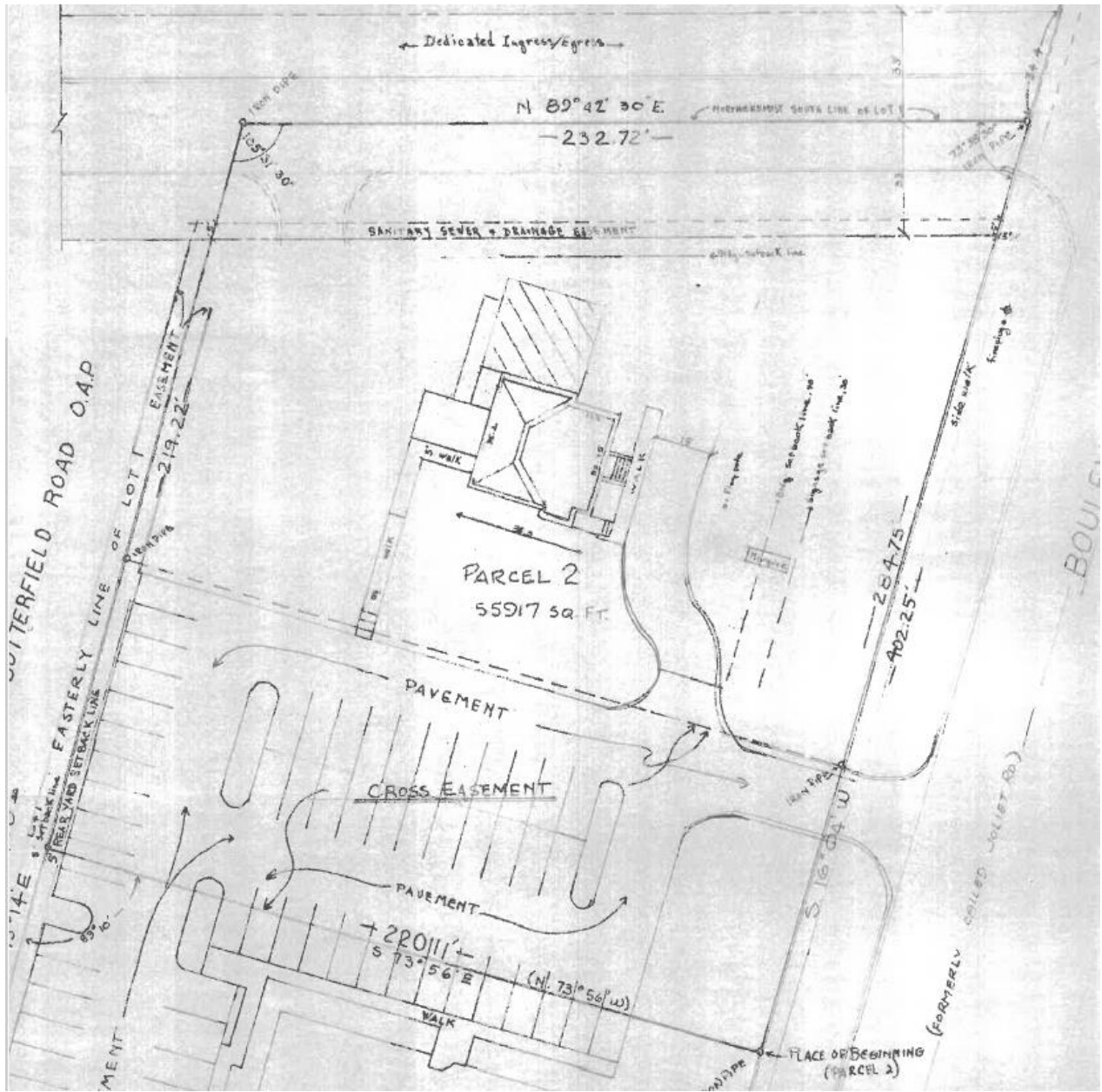
Forest Preserve:	“The Forest Preserve District of DuPage County staff has reviewed the information provided in this notice and due to the sizable distance between the subject property and District property, we do not have specific comments. Thank you.”
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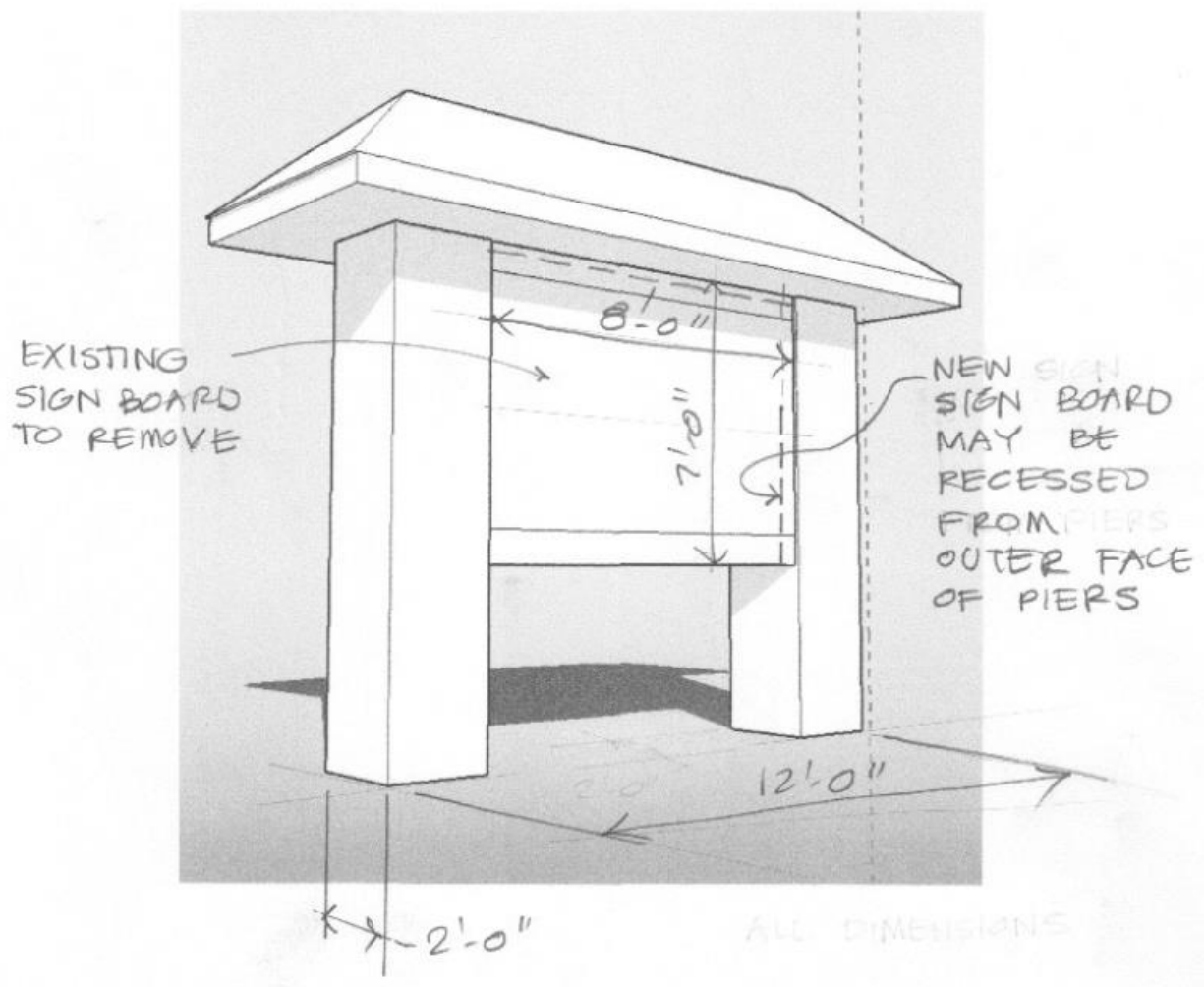
GENERAL BULK REQUIREMENTS:

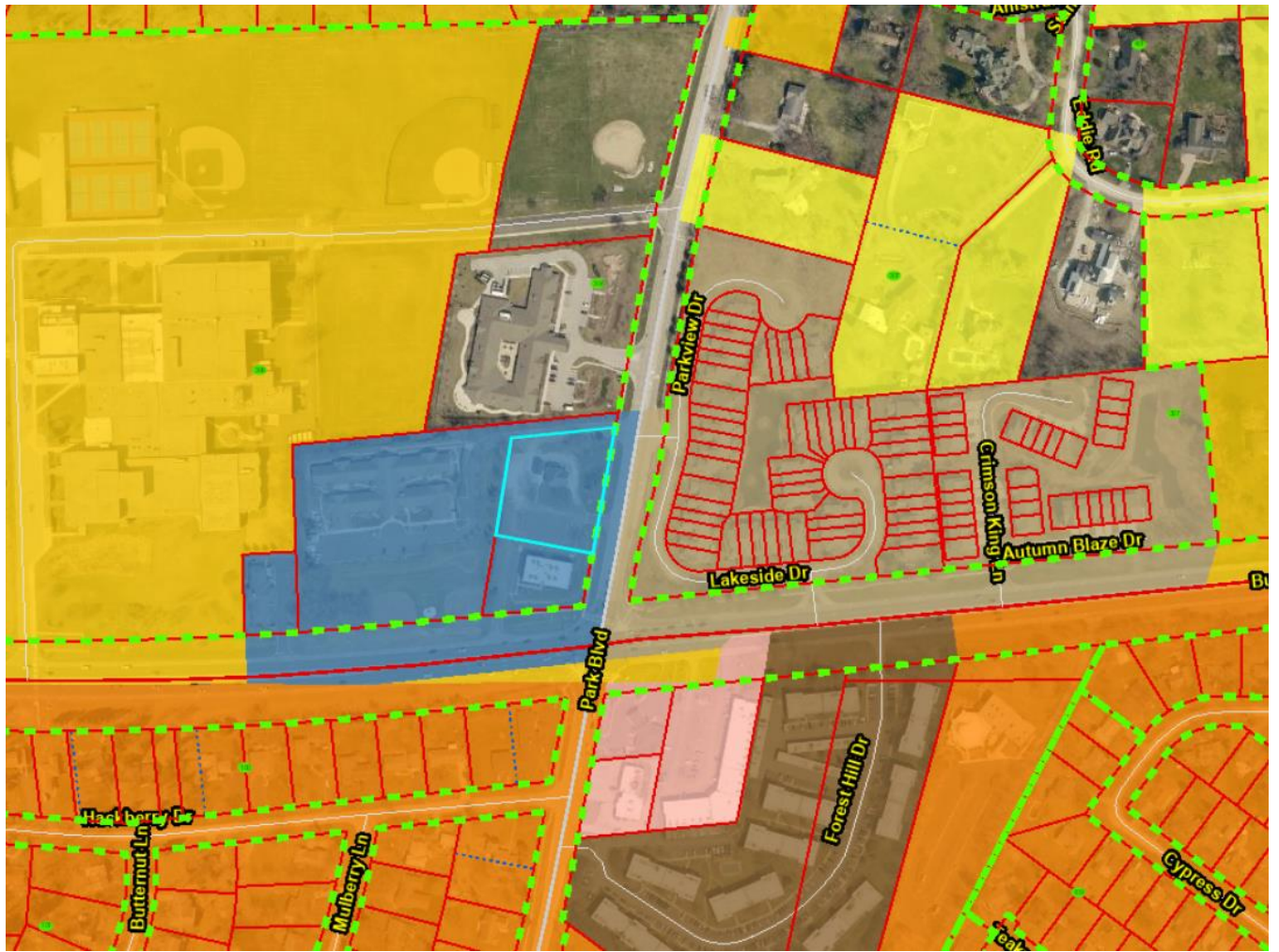
REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Height:	10'	APPROX. 11.5'	APPROX. 11.5'

LAND USE

Location	Zoning	Existing Use	LUP
Subject	O-Office	Office	OFFICE LOW/ INSTITUTIONAL
North	O-Office	Office	INSTITUTIONAL
South	O-Office	Office	OFFICE LOW
East	Park Boulevard and beyond R-5 General Residential	Townhouse/Attached Single Family	5-15 DU AC
West	O-Office	Hospital/Care Center	INSTITUTIONAL













Development Requisition under \$30,000

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

File #: 23-2673

Agenda Date: 8/15/2023

Agenda #: 6.F.



Procurement Review Comprehensive Checklist
 Procurement Services Division
 This form must accompany all Purchase Order Requisitions

SECTION 1: DESCRIPTION			
<i>General Tracking</i>		<i>Contract Terms</i>	
FILE ID#: 23-2571	RFP, BID, QUOTE OR RENEWAL #:	INITIAL TERM WITH RENEWALS:	INITIAL TERM TOTAL COST: \$16,751.73
COMMITTEE: DEVELOPMENT	TARGET COMMITTEE DATE: 08/15/2023	PROMPT FOR RENEWAL:	CONTRACT TOTAL COST WITH ALL RENEWALS:
	CURRENT TERM TOTAL COST:	MAX LENGTH WITH ALL RENEWALS:	CURRENT TERM PERIOD: INITIAL TERM
<i>Vendor Information</i>		<i>Department Information</i>	
VENDOR: Harris Govern	VENDOR #: 28530	DEPT: Building & Zoning	DEPT CONTACT NAME: Marla Flynn
VENDOR CONTACT: Eric Martineau	VENDOR CONTACT PHONE: 450-805-2314	DEPT CONTACT PHONE #: X6789	DEPT CONTACT EMAIL: Marla.Flynn@dupageco.org
VENDOR CONTACT EMAIL: emartineau@harriscomputer.com	VENDOR WEBSITE:	DEPT REQ #:	
<i>Overview</i>			
DESCRIPTION Identify scope of work, item(s) being purchased, total cost and type of procurement (i.e., lowest bid, RFP, renewal, sole source, etc.). Annual maintenance & support for the GOVERN software system for the period of April 1, 2023 through March 31, 2024.			
JUSTIFICATION Summarize why this procurement is necessary and what objectives will be accomplished The GOVERN system is unique to DuPage County and allows for review of all historical permits, impact fees, code violations associated with the County permitting process for Building & Zoning, Public Works and Division of Transportation. While we have migrated the current process to another program, it is necessary to be able to access the historical records of ongoing permits.			

SECTION 2: DECISION MEMO REQUIREMENTS	
DECISION MEMO NOT REQUIRED	Select an item from the following dropdown menu to identify why a Decision Memo (Section 3) is not required. SOLE SOURCE PER DUPAGE ORDINANCE, SECTION 2-350 (MUST FILL OUT SECTION 4)
DECISION MEMO REQUIRED	Select an item from the following dropdown menu to identify why a Decision Memo (Section 3) is required.

SECTION 3: DECISION MEMO	
STRATEGIC IMPACT	Select an item from the following dropdown menu of County's strategic priorities that this action will most impact.
SOURCE SELECTION	Describe method used to select source.
RECOMMENDATION AND TWO ALTERNATIVES	Describe staff recommendation and provide justification. Identify at least 2 other options to accomplish this request, including status quo, (i.e., take no action).

SECTION 4: SOLE SOURCE MEMO/JUSTIFICATION

JUSTIFICATION	Select an item from the following dropdown menu to justify why this is a sole source procurement. SOFTWARE MANUFACTURER AND SOLE MAINTENANCE/UPDATE PROVIDER
NECESSITY AND UNIQUE FEATURES	Describe the product or services that are not available from other vendors. Explain necessary and unique features or services. Attach letters from manufacturer, letters from distributor, warranties, licenses, or patents as needed. Be specific. The software was specifically written for DuPage County to allow for review, issuance and tracking of all permits and impact fees, as well as code violations and all accounts receivable functions associated with the permitting process. The permitting process has been migrated to an online process with another program but it is necessary to be able to review historical permits that might be ongoing. This program is used by Building & Zoning, Public Works and Division of Transportation.
MARKET TESTING	List and describe the last time the market has been tested on the applicability of the sole source. If it has not been tested over the last 12 months, explain why not. The system is unique to DuPage County and was designed for DuPage County by this vendor. Harris Govern is the only vendor able to provide support and maintenance for the own system.
AVAILABILITY	Describe steps taken to verify that these features are not available elsewhere. Included a detailed list of all products or services by brand/manufacturer examined and include names, phone numbers, and emails of people contacted. Extensive research of the other comparable systems was performed before this vendor was selected.

SECTION 5: Purchase Requisition Information

<i>Send Purchase Order To:</i>		<i>Send Invoices To:</i>	
Vendor: N Harris Computer Corporation DBA Harris Govern	Vendor#: 28530	Dept: Building & Zoning	Division:
Attn: Eric Martineau	Email: emartineau@harriscomputer.com	Attn: Marla Flynn	Email: Marla.Flynn@dupageco.org
Address: 1 Antares Dr, Suite 400	City: Ottawa	Address: 421 N County Farm Rd	City: Wheaton
State: ON K2E 8C4 Canada	Zip:	State: IL	Zip: 60187
Phone: 613-226-5511	Fax:	Phone: 630-407-6789	Fax: 630-407-6702
<i>Send Payments To:</i>		<i>Ship to:</i>	
Vendor: Harris Govern	Vendor#: 28530	Dept:	Division:
Attn:	Email:	Attn:	Email:
Address: PO Box 74007259	City: Chicago	Address:	City:
State: IL	Zip: 60674	State:	Zip:
Phone:	Fax:	Phone:	Fax:
Shipping		Contract Dates	
Payment Terms: PER 50 ILCS 505/1	FOB: Destination	Contract Start Date (PO25): Apr 1, 2023	Contract End Date (PO25): Mar 31, 2024
Contract Administrator (PO25):			

Purchase Requisition Line Details

LN	Qty	UOM	Item Detail (Product #)	Description	FY	Company	AU	Acct Code	Sub-Accts/Activity Code	Unit Price	Extension
1	1	EA		Annual Maint & Support for Govern Software - 10 Users	FY23	1100	2810	53807		9,306.52	9,306.52
2	1	EA		Annual Maint & Support for Govern Software - 6 Users	FY23	1500	3500	53807		5,583.91	5,583.91
3	1	EA		Govern Maint & Support for Govern Software - 2 Users	FY23	2000	2665	53807		1,861.30	1,861.30
<i>FY is required, assure the correct FY is selected.</i>										Requisition Total	\$ 16,751.73

<i>Comments</i>	
HEADER COMMENTS	Provide comments for P020 and P025.
SPECIAL INSTRUCTIONS	Provide comments for Buyer or Approver (not for P020 and P025). Comments will not appear on PO. First invoice allowed date is 2/22/2023.
INTERNAL NOTES	Provide comments for department internal use (not for P020 and P025). Comments will not appear on PO. Development, Public Works & Transportation Committees 8/15/23
APPROVALS	Department Head signature approval for procurements under \$15,000. Procurement Officer Approval for ETSB.

The following documents have been attached: W-9 Vendor Ethics Disclosure Statement



Invoice
Date
Page

GOVMN0000183
02/22/2023
1 of 1

Remit To: Harris Govern;
PO Box 74007259
Chicago, IL 60674-7259

Bill To
DuPage County (IL) Jay Puckett 421 North County Farm Road DuPage Center WHEATON, IL 60187 United States

Ship To
DuPage County (IL) 421 North County Farm Road DuPage Center WHEATON, IL 60187 United States

PO Number	Customer No.	Salesperson ID	Shipping Method	Payment Terms
	DUP100		LOCAL DELIVERY	

Ordered	Item Number	Description	Unit Price	Ext Price
1.00	MAINTENANCE	Land Management WD - 6 Users - Dept of Transportation: 4/1/2023 to 3/31/2024	US\$5,583.91	US\$5,583.91
1.00	MAINTENANCE	Land Management WD - 2 Users - Dept of PW: 4/1/2023 to 3/31/2024	US\$1,861.30	US\$1,861.30
1.00	MAINTENANCE	Land Management WD - 10 Users - Dept Dev & Planning: 4/1/2023 to 3/31/2024	US\$9,306.52	US\$9,306.52
Please Note: Payment is due at the start of the maintenance term			Subtotal	US\$16,751.73
Invoice Questions? Please call Evelyn Campbell at 1-888-847-7747 OR e-mail ar_govern@harriscomputer.com			Misc	US\$0.00
			Tax	US\$0.00
			Freight	US\$0.00
			Trade Discount	US\$0.00
			Total	US\$16,751.73



Required Vendor Ethics Disclosure Statement

Failure to complete and return this form may result in delay or cancellation of the County's Contractual Obligation.

Date: Jul 28, 2023

Bid/Contract/PO #: _____

Company Name: Harris Govern	Company Contact: Mark Tesreau
Contact Phone: (800) 806-7896	Contact Email: mtesreau@harriscomputer.com

The DuPage County Procurement Ordinance requires the following written disclosures prior to award:

1. Every contractor, union, or vendor that is seeking or has previously obtained a contract, change orders to one (1) or more contracts, or two (2) or more individual contracts with the county resulting in an aggregate amount at or in excess of \$25,000, shall provide to Procurement Services Division a written disclosure of all political campaign contributions made by such contractor, union, or vendor within the current and previous calendar year to any incumbent county board member, county board chairman, or countywide elected official whose office the contract to be awarded will benefit. The contractor, union or vendor shall update such disclosure annually during the term of a multi-year contract and prior to any change order or renewal requiring approval by the county board. For purposes of this disclosure requirement, "contractor or vendor" includes owners, officers, managers, lobbyists, agents, consultants, bond counsel and underwriters counsel, subcontractors and corporate entities under the control of the contracting person, and political action committees to which the contracting person has made contributions.

NONE (check here) - If no contributions have been made

Recipient	Donor	Description (e.g. cash, type of item, in-kind services, etc.)	Amount/Value	Date Made

2. All contractors and vendors who have obtained or are seeking contracts with the county shall disclose the names and contact information of their lobbyists, agents and representatives and all individuals who are or will be having contact with county officers or employees in relation to the contractor bid and shall update such disclosure with any changes that may occur.

NONE (check here) - If no contacts have been made

Lobbyists, Agents and Representatives and all individuals who are or will be having contact with county officers or employees in relation to the contract or bid	Telephone	Email

A contractor or vendor that knowingly violates these disclosure requirements is subject to penalties which may include, but are not limited to, the immediate cancellation of the contract and possible disbarment from future county contracts.

Continuing disclosure is required, and I agree to update this disclosure form as follows:

- If information changes, within five (5) days of change, or prior to county action, whichever is sooner
- 30 days prior to the optional renewal of any contract
- Annual disclosure for multi-year contracts on the anniversary of said contract
- With any request for change order except those issued by the county for administrative adjustments

The full text for the county's ethics and procurement policies and ordinances are available at:

<http://www.dupageco.org/CountyBoard/Policies/>

I hereby acknowledge that I have received, have read, and understand these requirements.

Authorized Signature 

Printed Name Mark Tesreau

Title Vice President, Client Services

Date Jul 28, 2023

Attach additional sheets if necessary. Sign each sheet and number each page. Page 1 of 1 (total number of pages)



Harris Govern
2721 Council Tree Ave, Suite 248
Fort Collins, CO 80525
Sales Phone: (972) 881-1858
Support Phone: (972) 265-7300

August 9, 2023

Marla Flynn, Financial Analyst II
DuPage County Building and Zoning Department
Building Division
421 N. County Farm Road
Wheaton, IL 60187

To Whom It May Concern,

This letter advises that Harris Govern (formerly MS Govern, a division of Harris Computer Systems) is the sole source provider for supporting, maintaining, and licensing the Govern Software products. The source code for these products is proprietary and unavailable to any other entity. The design of the software is unique and Harris Govern is uniquely qualified to provide support, fixes, and enhancements for it.

Sincerely,

A black rectangular redaction box covers the signature area, obscuring the name and any handwritten notes.

Robert Wood
Executive Vice President



Action Item

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

File #: 23-2715

Agenda Date: 8/15/2023

Agenda #: 7.A.
