



# DU PAGE COUNTY

## DuPage County Board

### Summary

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

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**Tuesday, January 23, 2024**

**10:00 AM**

**COUNTY BOARD ROOM**

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**1. CALL TO ORDER**

10:00 AM meeting was called to order by Chair Deborah A. Conroy at 10:02 AM.

**2. PLEDGE OF ALLEGIANCE**

Member Tornatore led the pledge of allegiance.

**3. INVOCATION**

3.A. Reverend Seth Carey – First Congregational Church, Glen Ellyn

**4. ROLL CALL**

<b>PRESENT:</b>	Conroy, Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

**5. PROCLAMATIONS**

5.A. Proclamation Recognizing National Human Trafficking Prevention Month

5.B. Proclamation Recognizing Kawasaki Disease Awareness Day

**6. PUBLIC COMMENT Limited to 3 minutes per person**

The following individuals made public comment:

Nan Messeiha: Zoning ordinance

Jane Teague: Zoning ordinance

Mohammed Beilani: Zoning ordinance

Brian Armstrong: Zoning ordinance

**7. CHAIR'S REPORT / PRESENTATIONS**

**Chair Conroy made the following remarks:**

I'll start my remarks today with a note of thanks for our transportation staff who've been working during the snowy, icy, sub-zero weather over the past few weeks to keep our roadways safe for travelers. I can report that I even heard our own Mike Figuray, Manager of Highway Operations, on several news outlets when the first heavy snowfall hit DuPage County. Mike, your team is the BEST... and we are grateful for the round-the-clock effort to clear the roads.

As we move into today's meeting, allow me to also express my thanks to members of the Board

and a large number of DuPage Mayors and Managers who have reached out in support of our efforts to ensure safety for asylum seekers who have been dropped off by buses from Texas. The snowy road conditions and dangerously cold weather slowed some of the bus traffic over the past week. For several days we received no buses at our Metra stations.

However, we continue to work with our partners, the city's Office of Emergency Management, Metra, social service coordinators at the Landing Zone, and our local police to keep everyone safe... as asylum seekers make their way to the city to receive the services they need. And again, for all who wish to help please visit [Chicago.gov/support](https://chicago.gov/support) to learn more about donating and volunteering.

Finally, this is a call out to DuPage senior citizens, caregivers, and family members. You are all invited to join us for a FREE workshop called "Safe from Scams." Representatives from the offices of the Recorder, Treasurer, State's Attorney, Sheriff, and Information Technology will all provide presentations aimed at keeping our seniors safe. You'll learn how to spot common scams including phone, internet, dating, and social media schemes. Our presenters will also provide tips to help seniors keep their money secure and information about reporting financial fraud. The event runs from 9:30 to 11 a.m., Wednesday, Jan. 31, in the first floor Auditorium, right here in the JTK Administration Building. This event WILL be live streamed on the DuPage County YouTube channel. All are invited to attend this free event.

## 8. **CONSENT ITEMS**

8.A. [24-0398](#)

DuPage County Board Minutes - Regular Meeting - Tuesday, January 9, 2024

8.B. [24-0286](#)

01-05-2024 Paylist

8.C. [24-0323](#)

01-09-2024 Paylist

8.D. [24-0394](#)

01-12-2024 Paylist

8.E. [24-0420](#)

01-17-2024 Auto Debit Paylist

8.F. [24-0426](#)

01-17-2024 Public Works Refunds Paylist

8.G. [24-0287](#)

01-05-2024 Corvel Wire Transfer

8.H. [24-0334](#)

01-09-2024 IDOR Wire Transfer

8.I. [24-0388](#)

Recorder's Office Monthly Revenue Statement - December 2023

8.J. [24-0389](#)

## Clerk's Office Monthly Report of the Deposits and Disbursements - December 2023

8.K. [24-0395](#)

Treasurer's Office Monthly Report of Investments and Deposits - December 2023

8.L. [24-0401](#)

Change orders to various contracts as specified in the attached packet.

<b>RESULT:</b>	APPROVED THE CONSENT AGENDA
<b>MOVER:</b>	Cynthia Cronin Cahill
<b>SECONDER:</b>	Yeena Yoo
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

## 9. COUNTY BOARD - CHILDRESS

9.A. [CB-R-0014-24](#)

Appointment of Gina LaMantia - DuPage Airport Authority.

WHEREAS, Deborah A. Conroy has submitted to the County Board her appointment of Gina LaMantia to be a Commissioner of the DuPage Airport Authority; and

WHEREAS, such appointment requires the advice and consent of the County Board under 70 ILCS 5/3.1, as amended.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the County Board does hereby advise and consent to the appointment of Gina LaMantia to be a Commissioner of the DuPage Airport Authority for a term expiring January 29th, 2029; and

BE IT FURTHER RESOLVED that the "Certificate of Appointment" be attached hereunto and made a part of this resolution; and

BE IT FURTHER RESOLVED that the County Clerk transmit certified copies of this resolution to: Gina LaMantia; Phillip Luetkehans, Luetkehans, Brady, Garner & Armstrong, LLC, 105 East Irving Park Road, Itasca, IL 60143; Mark Doles, DuPage Airport Authority, 2700 International Dr., Suite 200, West Chicago, IL 60185.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Michael Childress
<b>SECONDER:</b>	Liz Chaplin
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

<b>ABSENT:</b> Covert
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9.B. [CB-R-0015-24](#)

Appointment of Anthony Giunti - DuPage Airport Authority.

WHEREAS, Deborah A. Conroy has submitted to the County Board her appointment of Anthony Giunti to be a Commissioner of the DuPage Airport Authority; and

WHEREAS, such appointment requires the advice and consent of the County Board under 70 ILCS 5/3.1, as amended.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the County Board does hereby advise and consent to the appointment of Anthony Giunti to be a Commissioner of the DuPage Airport Authority for a term expiring January 29th, 2029; and

BE IT FURTHER RESOLVED that the "Certificate of Appointment" be attached hereunto and made a part of this resolution; and

BE IT FURTHER RESOLVED that the County Clerk transmit certified copies of this resolution to: Anthony Giunti; Phillip Luetkehans, Luetkehans, Brady, Garner & Armstrong, LLC, 105 East Irving Park Road, Itasca, IL 60143; Mark Doles, DuPage Airport Authority, 2700 International Dr., Suite 200, West Chicago, IL 60185.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Michael Childress
<b>SECONDER:</b>	Liz Chaplin
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

9.C. [CB-R-0016-24](#)

Appointment of Eric Swanson - Emergency Telephone System Board (ETSB) - Sheriff's Representative.

WHEREAS, 50 ILCS 750/15.4 provides that the corporate authorities of the County shall establish an Emergency Telephone System Board ("ETSB") and shall provide for the manner of appointment and the number of members of the ETSB; and

WHEREAS, the DuPage County Board at the June 13, 1989, meeting created the Emergency Telephone System Board for 9-1-1 and on June 25, 2013 in Ordinance OEX-003B-89 amended Section 20-40 of the DuPage County Code pertaining to the ETSB providing for the appointment of one member representing the DuPage County

Sheriff; and

WHEREAS, Deborah A. Conroy has submitted to the County Board her nomination of Eric Swanson to serve as a Member (Sheriff's Representative) of the Emergency Telephone System Board term expiring December 1, 2025.

NOW, THEREFORE BE IT RESOLVED by the DuPage County Board that the County Board, pursuant to the nomination of the Chair, does hereby appoint Eric Swanson as a Member of the Emergency Telephone System Board representing the DuPage County Sheriff for a term expiring December 1, 2025; and

BE IT FURTHER RESOLVED that the attached "Notice of Nomination" be attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED that the County Clerk transmit a certified copy of this resolution to Eric Swanson; the DuPage County Sheriff; the County Board Office; and the Executive Director of the ETSB.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Michael Childress
<b>SECONDER:</b>	Greg Schwarze
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

9.D. [CB-R-0017-24](#)

Appointment of Public Aid Committee - Member List attached.

WHEREAS, Deborah A. Conroy, per 305 ILCS 5/11-8, as Chair of the DuPage County Board, is appointed to the DuPage County Public Aid Committee (Countywide Chair); and

WHEREAS, additionally, Deborah A. Conroy has submitted to the County Board her appointment of Dennis Reboletti (R), Mike Hovde, Jr. (R - Alternate), Paul Coultrap (R-Alternate), Diane Hewitt (D), John Monino (R - Alternate), Eddie Bedford (D), Randy Ramey (R), Nicole Prater (R-Alternate), and John Valle (R-Alternate) to serve as members of the DuPage County Public Aid Committee; and

WHEREAS, such appointments require the advice and consent of the County Board under 305 ILCS 5/11-8, as amended.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the County Board does hereby advise and consent to the appointments of Dennis Reboletti (R), Mike Hovde, Jr. (R - Alternate), Paul Coultrap (R-Alternate), Diane Hewitt (D), John Monino (R - Alternate), Eddie Bedford (D), Randy Ramey (R), Nicole Prater (R-Alternate), and John Valle (R-Alternate)

to serve as members of the DuPage County Public Aid Committee; and

BE IT FURTHER RESOLVED that the County Clerk transmit certified copies of this resolution to Dennis Reboletti, Addison Township, 401 N. Addison Rd., Addison, IL 60101; Diane Hewitt, Lisle Township, 4711 Indiana Ave., Lisle, IL 60532; John Monino, Milton Township, 1492 N. Main St., Wheaton, IL 60187; Mike Hovde, Jr., Bloomingdale Township, 123 N. Rosedale Rd. Bloomingdale, IL 60108; Randy Ramey, Wayne Township, 27W031 North Ave., West Chicago, IL 60185; Eddie Bedford, Naperville Township, 139 Water St., Naperville, IL 60540; Nicole Prater, Winfield Township, 130 Arbor Ave., West Chicago, IL 60185; John Valle, York Township, 1502 S. Meyers Rd., Lombard, IL 60148; Paul Coultrap, Downers Grove Township, 4340 Prince St., Downers Grove, IL 60515.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Michael Childress
<b>SECONDER:</b>	Jim Zay
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

9.E. [24-0387](#)

County Board Member to attend the NACo Legislative Conference in Washington D.C. from February 9, 2024 to February 12, 2024. Expenses to include transportation, lodging, miscellaneous expenses (parking, mileage, etc.) and per diem for an approximate total of \$1,881.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Michael Childress
<b>SECONDER:</b>	Paula Garcia
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

**10. FINANCE - CHAPLIN**

Committee Update

10.A. [FI-R-0016-24](#)

Acceptance and Appropriation of the Illinois Department of Commerce & Economic Opportunity PY24 State Supplemental Funds, Inter-Governmental Agreement No. 24-071006, Company 5000 - Accounting Unit 2840, \$65,165. (Human Resources Department)

WHEREAS, the County of DuPage has been notified by the Illinois Department

of Commerce and Economic Opportunity (ILDCEO) that grant funds in the amount of \$65,164.37 (SIXTY-FIVE THOUSAND, ONE HUNDRED SIXTY-FOUR AND 37/100 DOLLARS) are available to supplement and support local workforce training priorities; and

WHEREAS, to receive said grant funds, the County of DuPage must enter into Inter-Governmental Agreement No. 24-071006 with the ILDCEO, a copy of which is attached to and incorporated as a part of this resolution by reference (ATTACHMENT II); and

WHEREAS, the period of the grant agreement is from November 1, 2023 through June 30, 2024; and

WHEREAS, no additional County funds are required to receive this funding; and

WHEREAS, acceptance of this grant does not add any additional subsidy from the County; and

WHEREAS, the DuPage County Board finds that the need to appropriate said grant funds creates an emergency within the meaning of the Counties Act, Budget Division, (55 ILCS 5/6-1003).

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that Inter-Governmental Agreement No. 24-071006 (ATTACHMENT II) between DuPage County and Illinois Department of Commerce and Economic Opportunity is hereby accepted; and

BE IT FURTHER RESOLVED by the DuPage County Board that the additional appropriation on the attached sheet (ATTACHMENT I) in the amount of \$65,165 (SIXTY-FIVE THOUSAND, ONE HUNDRED SIXTY-FIVE AND NO/100 DOLLARS) be made to establish the Illinois Department of Commerce and Economic Opportunity PY24 State Supplemental Funds, Company 5000 - Accounting Unit 2840, for the period November 1, 2023 through June 30, 2024; and

BE IT FURTHER RESOLVED by the DuPage County Board that the Chief Human Resources Officer is approved as the County's Authorized Representative; and

BE IT FURTHER RESOLVED that should state and/or federal funding cease for this grant, the Economic Development Committee shall review the need for continuing the specified program and related head count; and

BE IT FURTHER RESOLVED that should the Economic Development Committee determine the need for other funding is appropriate, it may recommend action to the County Board by resolution.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Liz Chaplin
<b>SECONDER:</b>	Michael Childress
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

10.B. [FI-R-0017-24](#)

Additional appropriation for the Animal Services Fund, Company 1100, Accounting Unit 1300, in the amount of \$200,000. (Animal Services)

WHEREAS, appropriations for the ANIMAL SERVICES FUND for Fiscal Year 2024 were adopted by the County Board pursuant to Ordinance FI-O-0009-23; and

WHEREAS, due to adjustments based on FY2023 actuals and accounts receivables expected to be collected in FY2024, there is a need for an additional appropriation in the ANIMAL SERVICES FUND - COMPANY 1100, ACCOUNTING UNIT 1300 in the amount of \$200,000 (TWO HUNDRED THOUSAND AND NO/100 DOLLARS); and

WHEREAS, there is sufficient unappropriated cash in the ANIMAL SERVICES FUND - COMPANY 1100, ACCOUNTING UNIT 1300 to support an additional appropriation of \$200,000 (TWO HUNDRED THOUSAND AND NO/100 DOLLARS); and

WHEREAS, the need to provide an additional appropriation in the amount of \$200,000 (TWO HUNDRED THOUSAND AND NO/100 DOLLARS) in the ANIMAL SERVICES FUND - COMPANY 1100, ACCOUNTING UNIT 1300 creates an emergency within the meaning of the Counties Act, Budget Division, (55 ILCS 5/6-1003).

NOW, THEREFORE, BE IT RESOLVED, by the DuPage County Board that an additional appropriation (Attachment) in the amount of \$200,000 (TWO HUNDRED THOUSAND AND NO/100 DOLLARS) in the ANIMAL SERVICES FUND - COMPANY 1100, ACCOUNTING UNIT 1300 is hereby approved and added to the Fiscal Year 2024 Appropriation Ordinance.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Liz Chaplin
<b>SECONDER:</b>	Dawn DeSart



<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

10.C. [FI-R-0018-24](#)

Approval of a grant agreement between the County of DuPage and the Child Friendly Courts Foundation, for the Safe Harbor Children's Waiting Room, in the amount of \$40,750. (ARPA INTEREST)

WHEREAS, the Child Friendly Courts Foundation is a 501(c)(3) organization which provides a safe and comfortable waiting room for children whose parents have business in the DuPage County courthouse, known as the Safe Harbor Children's Waiting Room; and

WHEREAS, the County of DuPage ("County") wishes to enter into a grant Agreement ("Agreement") with the Child Friendly Courts Foundation to provide funding for operational expenses for the Safe Harbor Children's Waiting Room; and

WHEREAS, the County has prepared an Agreement ("Exhibit A") which outlines the arrangements between the County and the Child Friendly Courts Foundation to govern the disbursement and auditing of the funds.

NOW, THEREFORE BE IT RESOLVED, that the DuPage County Board hereby authorizes the DuPage County Board Chair to enter into the Agreement attached hereto as Exhibit A.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Liz Chaplin
<b>SECONDER:</b>	Dawn DeSart
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

10.D. [FI-R-0019-24](#)

Budget Transfers 01-23-2024 - Various Companies and Accounting Units

WHEREAS, it appears that certain appropriations for various County companies and accounting units are insufficient to cover necessary expenditures for the balance of the 2023 fiscal year; and

WHEREAS, it appears that there are other appropriations within these companies and accounting units from which transfers can be made at the present time to meet the need for funds.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached transfers be made within the indicated companies and accounting units.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Liz Chaplin
<b>SECONDER:</b>	Paula Garcia
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

10.E. [FI-R-0020-24](#)

Awarding resolution for trenchless rehabilitation and maintenance of pipeline infrastructure.

WHEREAS, pursuant to Intergovernmental Agreement between the County of DuPage and OMNIA Partners, Public Sector, Inc. (OMNIA Partners), the County of DuPage will contract with Hoerr Construction, Inc., Insituform Technologies, LLC, and Insituform Technologies USA, LLC; and

WHEREAS, pursuant to the agreement approved on February 13, 2007 in Resolution #FI-0034-07, the County is authorized to work with OMNIA Partners, Public Sector, Inc. (OMNIA Partners) to secure multi-state volume purchasing contracts; and

WHEREAS, the County issued its Solicitation #23-065-PW for Trenchless Rehabilitation and Maintenance of Pipeline Infrastructure; and

WHEREAS, the County evaluated the responses to the solicitation and Hoerr Construction, Inc., Insituform Technologies, LLC, and Insituform Technologies USA, LLC, have been found to meet all minimum qualifications and requirements per Solicitation #23-065-PW.

NOW, THEREFORE BE IT RESOLVED, that an award be issued to: Hoerr Construction, Inc., 1416 County Road. 200N, Goodfield, IL 61742, Insituform Technologies, LLC, 580 Goddard Avenue, Chesterfield, MO 63005, and Insituform Technologies USA, LLC, 580 Goddard Avenue, Chesterfield, MO 63005, at the solicited rates contained herein for procurements entered into during the period of January 23, 2024, through January 22, 2027.

BE IT FURTHER RESOLVED, that the County and other authorized members of the OMNIA Partners may order Trenchless Rehabilitation and Maintenance of Pipeline Infrastructure pursuant to this award of Solicitation #23-065-PW from the incorporated agreement. Each County order shall be approved pursuant to the County Procurement Ordinance OFI-005F-99 and any amendments thereto.

BE IT FURTHER RESOLVED, that the County will receive an administrative fee of no less than .15% of sales generated by the use of the contract, and all administrative fees will be split (50% / 50%) between the General Fund and Public Works.

<b>RESULT:</b> WITHDRAWN
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10.F. [FI-R-0021-24](#)

Appointment of IMRF Authorized Agent. (Human Resources)

WHEREAS, the County of DuPage is required by Illinois law, under Article 7 of the Pension Code, to participate in the Illinois Municipal Retirement Fund; and

WHEREAS, the County of DuPage is required by this same law, to appoint one person as the Authorized Agent for the IMRF program; and

WHEREAS, the County Board must by resolution appoint and delegate to the Authorized Agent the following duties:

1. To determine and certify which employees are covered by IMRF;
2. To see that proper contributions are withheld;
3. To complete, sign and forward all necessary forms, reports, etc.;
4. To keep the County Board informed of pertinent information regarding employer contribution rates and matters requiring the Board's approval;
5. To file petitions for nomination of Trustees;
6. To cast ballots for election of Trustees; and

WHEREAS, from time to time it becomes necessary to appoint a new employee as the IMRF Authorized Agent; and

NOW, THEREFORE BE IT RESOLVED, that Christine Clevenger or a designee as determined by the Interim Director of Human Resources, be duly appointed by the DuPage County Board as the IMRF Authorized Agent.

BE IT FURTHER RESOLVED, that the County Clerk be directed to transmit copies of this resolution to the Auditor, Treasurer, Finance Department, Human Resources Department, and one copy to the County Board.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Liz Chaplin
<b>SECONDER:</b>	Yeena Yoo
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

10.G. [FI-R-0022-24](#)

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Revision to Personnel Budget. (Animal Services)

WHEREAS, the DuPage County Board has approved personnel budgets for all County departments; and

WHEREAS, there are times when it is necessary to revise those budgets to insure efficient and effective County operations.

NOW, THEREFORE, BE IT RESOLVED that the Personnel Budget for Animal Services be revised to reflect the addition of:

Full-Time

50000 (1) Animal Services	CB008-EM002
Program Manager	Grade: 312
	\$58,070 - \$77,428 - \$96,783

BE IT FURTHER RESOLVED that the County Clerk be directed to transmit copies of this resolution to the County Board and the Human Resources Department.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Liz Chaplin
<b>SECONDER:</b>	Paula Garcia
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

10.H. [FI-R-0023-24](#)

Intergovernmental Agreement between TechShare Local Government Corporation, the County of DuPage, and the DuPage County State's Attorney, for professional case management and digital media services, for an estimated County cost of \$181,250. (State's Attorney's Office)

WHEREAS, TECHSHARE, the COUNTY, and the STATE'S ATTORNEY are public agencies within the meaning of the Illinois Intergovernmental Cooperation Act as set forth in 5 ILCS 220/1 *et seq.* and as authorized by Article 7, Section 10 of the Constitution of the State of Illinois; and

WHEREAS, the purpose of the Intergovernmental Cooperation Act and Article 7 of the Constitution of the State of Illinois includes fostering cooperation among governmental bodies; and

WHEREAS, TECHSHARE, the COUNTY and the STATE'S ATTORNEY intend to

enter into an Intergovernmental Agreement ("Agreement") for the performance of certain professional services as set forth and specified in the Agreement attached hereto; and

WHEREAS, TECHSHARE previously developed and has been maintaining a professional case management system for use by prosecutors in DuPage County since 2018 and has the experience and expertise in this area and is authorized to license their case management software; and

WHEREAS, the use of the TECHSHARE system allows the employees of the STATE'S ATTORNEY'S OFFICE to conduct their job functions more efficiently; and

WHEREAS, there have been managerial changes at TECHSHARE which have resulted in a delay in the final Agreement.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board finds it appropriate to authorize the STATE'S ATTORNEY to execute an agreement, substantially the same as the attached Agreement between TECHSHARE, the COUNTY and the STATE'S ATTORNEY; and

BE IT FURTHER RESOLVED that the DuPage County Clerk be directed to transmit certified copies of this Resolution to Robert Lyons, DuPage County State's Attorney's Office and DuPage County.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Liz Chaplin
<b>SECONDER:</b>	Paula Garcia
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

## 11. ANIMAL SERVICES - KRAJEWSKI

Committee Update

## 12. DEVELOPMENT - TORNATORE

Committee Update

### 12.A. [DC-P-0001-24](#)

Recommendation for the approval of a contract purchase order to SAFEBuilt Illinois, LLC, for professional services to perform building and plumbing plan reviews, and inspections on an "as-needed" basis, in unincorporated DuPage County, for the period January 29, 2024, through November 30, 2024, for the Building & Zoning Department, for a contract total amount not to exceed \$75,000; per RFP# 24-006-BZP.

WHEREAS, an RFP was released to the public and processed in accordance with County Board policy; and

WHEREAS, the Development Committee recommends County Board Approval for the issuance of a contract purchase order for professional services to perform building and plumbing plan reviews, and inspections on an as-needed basis, for residential and commercial buildings in unincorporated DuPage County, for the period January 30, 2024, through November 30, 2024, for the Building & Zoning Department, for a contract total amount not to exceed \$75,000, per RFP#24-006-BZP.

NOW, THEREFORE BE IT RESOLVED, that County Contract, covering said, for professional services to perform building and plumbing plan reviews, and inspections on an as-needed basis, for residential and commercial buildings in unincorporated DuPage County, for the period January 30, 2024, through November 30, 2024, for the Building & Zoning Department, and it is hereby approved for issuance by the Procurement Division to, SAFEBuilt Illinois, LLC, 1200 Harger Road Suite 421, Oakbrook, Illinois 60523.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Sam Tornatore
<b>SECONDER:</b>	Patty Gustin
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

12.B. [DC-O-0001-24](#)

ZONING-23-000077 – Messieha: To approve the following zoning relief:

Conditional Use to reduce the rear yard setback for an existing shed from required 3' to approximately 0.6', where it has existed for at least 5 years. (Milton/ District 4)

ZHO Recommendation to Deny

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

WHEREAS, a public hearing was held on October 11, 2023 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

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

Conditional Use to reduce the rear yard setback for an existing shed from required 3' to approximately 0.6', where it has existed for at least 5 years, the property hereinafter described:

LOT 37 IN BUTTERFIELD WEST UNIT NO. 2, BEING A SUBDIVISION IN SECTIONS 25 AND 26, TOWNSHIP 39 NORTH RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 31, 1966, AS DOCUMENT NO. R66-19939, IN

DUPAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on October 11, 2023 does find as follows:

**FINDINGS OF FACT:**

- A. That petitioner testified that the subject zoning relief is for a Conditional Use to reduce the rear yard setback for an existing shed from required 3' to approximately 0.6', where it has existed for at least 5 years.
- B. That petitioner testified that they have lived at the subject property for approximately twenty-four (24) years.
- C. That the adjacent neighbor to the north testified at the public hearing that there was a shed on the subject property that was torn down in 2021, replaced with a new shed, and that the existing shed is not five (5) years old.
  - a. Furthermore, that following the neighbor's testimony, petitioner confirmed and testified that they tore down the prior shed in 2021 and replaced with a new shed, approximately 0.6' from the rear property line which was where the previous shed was located.
- D. As such, that the Zoning Hearing Officer finds that petitioner has not demonstrated evidence for the subject zoning relief for a Conditional Use to reduce the rear yard setback for an existing shed from required 3' to approximately 0.6', where it has existed for at least 5 years, as it was testified during the public hearing that shed was recently replaced and has not existed for at least five (5) years.
- E. Furthermore, that the Zoning Hearing Officer finds that the subject property does not qualify for the subject zoning relief for a Conditional Use to reduce the rear yard setback for an existing shed from required 3' to approximately 0.6', where it has existed for at least 5 years, as the subject shed has not existed for at least 5 years.

**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** that the existing shed does not impact or impair the supply of light and air to adjacent properties.
  - b. Increase the hazard from fire or other dangers to said property as petitioner **has not demonstrated** that the existing shed does 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 shed does not diminish the value of land throughout the County.
- d. Unduly increase traffic congestion in the public streets and highways as petitioner **has not demonstrated** that the existing shed does not impact traffic in the public streets and highways.
- e. Increase the potential for flood damages to adjacent property as petitioner **has not demonstrated** that the existing shed does 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 shed does not incur addition 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 shed does 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-23-000077 Messieha**

**ZONING REQUEST** Conditional Use to reduce the rear yard setback for an existing shed from required 3' to approximately 0.6', where it has existed for at least 5 years.

**OWNER** ZAKARIA AND NAHED MESSIEHA, 21 W744 HUNTINGTON ROAD,  
GLEN ELLYN, IL 60137

**ADDRESS/LOCATION** 21 W744 HUNTINGTON ROAD, GLEN ELLYN, IL 60137  
**PIN** 05-25-103-039

**TWSP./CTY. BD. DIST.** MILTON DISTRICT 4

**ZONING/LUP** R-4 SF RES 0-5 DU AC

**AREA** 0.31 ACRES (13,504 SQ. FT.)

**UTILITIES** WATER AND SEWER

**PUBLICATION DATE** Daily Herald: SEPTEMBER 26, 2023

**PUBLIC HEARING** WEDNESDAY, OCTOBER 11, 2023

**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: Our office has no jurisdiction in this matter.

**EXTERNAL:**



Village of Glen Ellyn: *No Comments Received.*

City of Wheaton *No Comments Received.*

Village of Lombard: “The Village is in receipt of the public hearing notice. The subject is located outside of the Village’s planning jurisdiction and as such, the Village of Lombard does not have any comments on the petition.”

Village of Downers Grove: “The Village of Downers Grove has no comments.”

Milton Township: *No Comments Received.*

Township Highway: No Objections with the concept of the petition. Additional information may be required at time of permit application.

Glen Ellyn Fire Dist.: *No Comments Received.*

Sch. Dist. 89: *No Comments Received.*

Forest Preserve:

#### **GENERAL BULK REQUIREMENTS:**

#### **REQUIREMENTS: REQUIRED EXISTING PROPOSED**

Rear Yard: 3’ 0.6’ 0.6’

#### **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 HUNTINGTON ROAD AND BEYOND R-4 SF RES HOUSE 0-5 DU AC

East HUNTINGTON COURT AND BEYOND R-4 SF RES HOUSE 0-5 DU AC

West R-4 SF RES HOUSE 0-5 DU AC

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on October 11, 2023, recommends to deny the following zoning relief:

Conditional Use to reduce the rear yard setback for an existing shed from required 3’ to approximately 0.6’, where it has existed for at least 5 years.

#### **ZHO Recommendation to Deny**

WHEREAS, the County Board Development Committee on January 16, 2024, considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and on a motion to approve, the motion failed relative to the following zoning relief:

Conditional Use to reduce the rear yard setback for an existing shed from required 3’ to approximately 0.6’, where it has existed for at least 5 years.

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

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County,

Illinois that the following zoning relief be granted:

Conditional Use to reduce the rear yard setback for an existing shed from required 3' to approximately 0.6', where it has existed for at least 5 years, the property hereinafter described:

LOT 37 IN BUTTERFIELD WEST UNIT NO. 2, BEING A SUBDIVISION IN SECTIONS 25 AND 26, TOWNSHIP 39 NORTH RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 31, 1966, AS DOCUMENT NO. R66-19939, IN DUPAGE COUNTY, ILLINOIS; and

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

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; ZAKARIA AND NAHED MESSIEHA, 21W744 HUNTINGTON ROAD, GLEN ELLYN, IL 60137; and Township Assessor, Milton Township, 1492 N. Main Street, Wheaton, IL 60187.

<b>RESULT:</b>	DEFEATED
<b>MOVER:</b>	Sam Tornatore
<b>SECONDER:</b>	Liz Chaplin
<b>NAY:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

12.C. [DC-O-0002-24](#)

ZONING-23-000070 – Flash Property Management, LLC.: To approve the following zoning relief:

1. Rezoning from R-4 Single-Family Residential to B-2 General Business;
  2. Variation to reduce the north rear yard setback from required 40' to approximately 10'; and
  3. Reduction and Use of Yards by Conditional Use Procedure:
    - a. Conditional Use to reduce the south front yard setback by 50% from required 40' to approximately 20'. (Milton/District 6)
- ZBA VOTE (to Approve): 7 Ayes, 0 Nays, 0 Absent  
Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

WHEREAS, a public hearing was held on November 9, 2023 in the DuPage County

Administration Building, 421 North County Farm Road, Wheaton, Illinois at 6:00 P.M. before the DuPage County Zoning Board of Appeals and notice of said hearing was duly given; and

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

1. Rezoning from R-4 Single-Family Residential to B-2 General Business;
2. Variation to reduce the north rear yard setback from required 40' to approximately 10';
3. Variation to reduce the east interior side yard setback from 40' to approximately 10'; and
4. Reduction and Use of Yards by Conditional Use Procedure:
  - a. Conditional Use to reduce the south front yard setback by 50% from required 40' to approximately 20';
  - b. Conditional Use to reduce the west interior side yard setback by 50% from required 20' to approximately 10', on the property hereinafter described:

LOT 4 IN MILTON TOWNSHIP SUPERVISORS ASSESSMENT PLAT NUMBER 4, BEING LOT 1 IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 14, 1944 AS DOCUMENT 461047, EXCEPT THAT PART OF SAID LOT LYING WESTERLY OF A STRAIGHT LINE DRAWN ACROSS SAID LOT FROM A POINT IN THE NORTHERLY LINE THEREOF THAT IS 171.1 FEET EASTERLY, MEASURED ALONG SAID NORTHERLY LINE, FORM THE NORTHWEST CORNER OF SAID LOT TO APOINT IN THE SOUTHERLY LINE OF SAID LOT THAT IS 144.2 FEET EASTERLY, MEASURED ALONG SAID SOUTHERLY LINE FORM THE SOUTHWEST CORNER OF SAID LOT; ALSO EXCEPT THE EAST 450 FEET OF SAID LOT 4 AS MEASURED ON THE SOUTHERLY LINE, BY 445.3 FEET AS MEASURED ON THE NORTHERLY LINE THEREOF; and

WHEREAS, the Zoning Board of Appeals, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on December 7, 2023 does find as follows:

**FINDINGS OF FACT:**

1. That petitioner testified that they seek the subject zoning relief to allow a construction/contractor's office and yard with both indoor/outdoor storage of vehicles, materials, and equipment related to the subject construction/demolition business.
2. That petitioner testified that the subject property will be owned and operated by Flash Property Management, LLC., and will be operated as construction/contractor's office and yard.
3. That petitioner testified that they originally applied for a Variation to reduce the east interior side yard setback from 40' to approximately 10' and a Conditional Use to reduce the west interior side yard setback by 50% from required 20' to approximately 10', and that at the public hearing, petitioner withdrew the requests to reduce the east interior and west interior side yards and will meet the required setbacks.
4. That petitioner testified that the subject property was previously used as a horse stable/horse boarding facility, and today includes an existing indoor 7,000 sq. ft. riding arena, 1,500 sq. ft. intermediary building, and 5,000 sq. ft. horse stable.

- a. That petitioner testified that they propose to utilize the existing buildings for the proposed construction/contractor's office and yard, and that the 1,500 sq. ft. intermediary building will be used for the proposed construction/contractor's office and the 5,000 sq. ft. stable building and 7,000 sq. ft. riding arena will be used for the proposed storage of petitioner's vehicles, equipment, and tools.
5. That petitioner testified that they do not plan to construct any additions to the existing buildings on the subject property and that petitioner will only make cosmetic improvements to the property, such as new roofing, siding, windows, paint, and improve the existing parking with ten (10) parking spaces.
6. That petitioner testified that the proposed business would have 10-15 employees on a daily basis, with 1-3 employees in the office.
7. That petitioner testified that their business operations allow for their employees to arrive at the subject property in their personal vehicles, park their vehicle, and then take a company vehicle, equipment, or truck to a designated construction site.
  - a. Furthermore, that at the end of the day, employees would return to the subject property, drop off the company vehicle, equipment, or truck, and leave the property in their personal vehicle.
8. That petitioner testified that they have requested the reduction in front and rear yards, due to the long/narrow lot configuration of the subject property and that use of the existing buildings and property requires the requested zoning relief.
9. That petitioner testified that all of the adjacent properties and existing land uses are largely commercial and that the trend of development on St. Charles Road/Schmale Road is towards commercial uses, a further indication that the B-2 Zoning District would be appropriate zoning district for the subject property.
  - a. That petitioner testified that the adjacent property to the north is the Great Western Trail and Commonwealth Edison, to the west is an animal hospital, to the south is a commercial shopping center/restaurants, and to the east is vacant land with a telecommunications tower.
  - b. In addition, that petitioner testified that the subject property would not be suitable for residential use due to the existing lot configuration and close proximity to St. Charles Road/Schmale Road, and that the B-2 Zoning District would be a suitable zoning district for the subject property.

**STANDARDS FOR MAP AMENDMENT (REZONING):**

That the Zoning Board of Appeals finds that petitioner **has demonstrated** that the granting of the map amendment (rezoning) is in harmony with the general purpose and intent of the Zoning Ordinance, and that the petitioner has demonstrated the following standards for a map amendment (rezoning):

1. Existing uses of property within the general area of the property in question, as petitioner **has demonstrated** that the property located directly west of the subject property is located within the Village of Carol Stream with a commercial use for an animal hospital; that the

property directly north of the subject property is zoned R-4 Single Family Residential and is a recreational use with the Great Western Trail; that the property located directly east of the subject property is zoned R-4 Single Family Residential and is vacant with a telecommunications tower; and that the properties located directly south of the subject property are located within the Village of Carol Stream with commercial uses, such as shopping centers and restaurants.

2. The zoning classification of property within the general area of the property in question, as petitioner **has demonstrated** that the property located directly west of the subject property is located within the Village of Carol Stream with a commercial use for an animal hospital; that the property directly north of the subject property is zoned R-4 Single Family Residential and is a recreational use with the Great Western Trail; that the property located directly east of the subject property is zoned R-4 Single Family Residential and is vacant with a telecommunications tower; and that the properties located directly south of the subject property are located within the Village of Carol Stream with commercial uses, such as shopping centers and restaurants.
3. The suitability of the property in question for the uses permitted under the existing zoning classification, as petitioner **has demonstrated** that there is no demand for the subject property to be developed as a residential property due to the location of the subject property on St. Charles Road/Schmale Road, the close proximity to surrounding commercial uses, and due to the long and narrow existing lot configuration.
4. The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the property in question was placed in its present zoning classification, as petitioner **has demonstrated** that the trend of development in the general area, specifically in the last ten (10) years, is towards commercial land uses.
5. The length of time the property has been vacant as zoned, considered in the context of the land development in the area surrounding the subject property, as petitioner **has demonstrated** that the subject property has not been used as a residential property and was previously used as a horse stable/horse boarding facility.
6. The extent to which the property values are diminished by particular zoning restrictions, as petitioner **has demonstrated** that the subject zoning relief will improve the subject property and will be consistent with the surrounding land uses and zoning districts.

**STANDARDS FOR VARIATIONS AND CONDITIONAL USES:**

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.
2. That the Zoning Board of Appeals 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 they will not construct any new buildings on the subject property and will utilize all existing buildings, and therefore 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 they will only be making cosmetic improvements to the subject property and that they 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 all of the properties surrounding the subject property are a commercial use, and that the proposed construction/contractor's office and yard 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 use as a construction/contractor's office and yard will not bring in customers or members of the public, and that they 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 they will utilize the existing buildings on the subject property and 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 they will utilize the existing buildings on the subject property 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 surrounding land uses are primarily commercial and that the proposed construction/contractor's office and yard will not adversely impact the public health, safety, comfort, morals, and general welfare of the inhabitants of DuPage County.

#### PETITIONER'S DEVELOPMENT FACT SHEET

##### **GENERAL ZONING CASE INFORMATION**

**CASE #/PETITIONER ZONING-23-000070 Flash Property Management, LLC.**

**ZONING REQUEST** 1. Rezoning from R-4 Single-Family Residential to B-2 General Business; 2. Variation to reduce the north rear yard setback from required 40' to approximately 10'; 3. Variation to reduce the east interior side yard setback from 40' to approximately 10'; and 4. Reduction and Use of Yards by Conditional Use Procedure: a. Conditional Use to reduce the south front yard setback by 50% from required 40' to approximately 20'; b. Conditional Use to reduce the west interior side yard setback by 50% from required 20' to approximately 10'.

**OWNER** FLASH PROPERTY MANAGEMENT, LLC., P.O BOX 723, BLOOMINGDALE, IL 60108/ **AGENT:** PHILLIP A. LUETKEHANS AND BRIAN J. ARMSTRONG, LUETKEHANS, BRADY, GARNER, & ARMSTRONG, LLC., 105 E. IRVING PARK ROAD, ITASCA, IL 60143

**ADDRESS/LOCATION** 24W280 ST. CHARLES ROAD, CAROL STREAM, IL 60188

**PIN**05-04-202-002

**TWSP./CTY. BD. DIST.** MILTON DISTRICT 6

**ZONING/LUP** R-4 SF RES OFFICE LOW

**AREA** 2.91 ACRES (126,760 SQ. FT.)

**UTILITIES**WELL AND SEPTIC

**PUBLICATION DATE**Daily Herald: OCTOBER 25, 2023

**PUBLIC HEARING** THURSDAY, NOVEMBER 9, 2023

**ADDITIONAL INFORMATION:**

Building: No Objections.

DUDOT: Objects. "PVC shed shown on site plan and final plat is encroaching on the County's Great Western Trail ROW. The shed encroachment should be relocated prior to a reduction of rear-yard setback requirements."

Health: No Objections with the concept of the petition. Additional information may be required at time of permit application. (See attached documentation)

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 Carol Stream: *No Comments Received.*

Village of Glendale Heights: "Village of Glendale Heights has no issue with this proposal as it is not contiguous to village boundaries nor will have a direct impact to our community."

Village of Glen Ellyn: *No Comments Received.*

City of Wheaton: *No Comments Received.*

Village of Winfield: *No Comments Received.*

Milton Township: *No Comments Received.*

Township Highway: No Objections with the concept of the petition. Additional information may be required at time of permit application.

Carol Stream Fire Dist.: No Objections with the concept of the petition. Additional information may be required at time of permit application.

Sch. Dist. 200: *No Comments Received.*

Forest Preserve: *No Comments Received.*

**GENERAL BULK REQUIREMENTS:**

**REQUIREMENTS: REQUIRED EXISTING PROPOSED**

Front Yard: 40' APPROX. 20' APPROX. 20'

Int. Side Yard: 40' APPROX. 2.9' APPROX. 10'

Int. Side Yard: 20' APPROX. 1.2' APPROX. 10'

Rear Yard: 40' APPROX. 3.2' APPROX. 10'

**LAND USE**

**Location Zoning Existing Use LUP**

Subject R-4 SF RES EQUESTRIAN OFFICE LOW

North R-4 SF RES OPEN SPACE/TRAIL OFFICE LOW

South ST. CHARLES ROAD AND BEYOND VILLAGE OF CAROL STREAM

COMMERCIAL VILLAGE OF CAROL STREAM

East R-4 SF RES VACANT OFFICE LOW

West VILLAGE OF CAROL STREAM MEDICAL VILLAGE OF CAROL STREAM

WHEREAS, the Zoning Board of Appeals, having considered in relation to the above and at the recommendation meeting held on December 7, 2023, recommends to approve the following zoning relief:

1. Rezoning from R-4 Single-Family Residential to B-2 General Business;
2. Variation to reduce the north rear yard setback from required 40' to approximately 10';
3. Reduction and Use of Yards by Conditional Use Procedure:

- a. Conditional Use to reduce the south front yard setback by 50% from required 40' to approximately 20'.

**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-23-000070 Flash Property Management, LLC.** dated November 9, 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 in conjunction with the submittal of a building permit the developer provides a landscape plan showing full landscape screens around the perimeter of the development.
4. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

**ZBA VOTE (to Approve): 7 Ayes, 0 Nays, 0 Absent**

WHEREAS, the County Board Development Committee on January 16, 2024, considered the above findings and recommendations of the Zoning Board of Appeals and recommends to concur with the findings and recommends to approve the following zoning relief:

1. Rezoning from R-4 Single-Family Residential to B-2 General Business;
2. Variation to reduce the north rear yard setback from required 40' to approximately 10';
3. Reduction and Use of Yards by Conditional Use Procedure:
  - a. Conditional Use to reduce the south front yard setback by 50% from required 40' to approximately 20'.

**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-23-000070 Flash Property Management, LLC.** dated November 9, 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 in conjunction with the submittal of a building permit the developer provides a landscape plan showing full landscape screens around the perimeter of the development.
4. 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**

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

1. Rezoning from R-4 Single-Family Residential to B-2 General Business;
2. Variation to reduce the north rear yard setback from required 40' to approximately 10';



3. Reduction and Use of Yards by Conditional Use Procedure:
  - a. Conditional Use to reduce the south front yard setback by 50% from required 40' to approximately 20', on the property hereinafter described:

LOT 4 IN MILTON TOWNSHIP SUPERVISORS ASSESSMENT PLAT NUMBER 4, BEING LOT 1 IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 14, 1944 AS DOCUMENT 461047, EXCEPT THAT PART OF SAID LOT LYING WESTERLY OF A STRAIGHT LINE DRAWN ACROSS SAID LOT FROM A POINT IN THE NORTHERLY LINE THEREOF THAT IS 171.1 FEET EASTERLY, MEASURED ALONG SAID NORTHERLY LINE, FORM THE NORTHWEST CORNER OF SAID LOT TO APOINT IN THE SOUTHERLY LINE OF SAID LOT THAT IS 144.2 FEET EASTERLY, MEASURED ALONG SAID SOUTHERLY LINE FORM THE SOUTHWEST CORNER OF SAID LOT; ALSO EXCEPT THE EAST 450 FEET OF SAID LOT 4 AS MEASURED ON THE SOUTHERLY LINE, BY 445.3 FEET AS MEASURED ON THE NORTHERLY LINE THEREOF; and

**The Zoning Relief is subject to the following conditions:**

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition #ZONING-23-000070 **Flash Property Management, LLC.** dated November 9, 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 in conjunction with the submittal of a building permit the developer provides a landscape plan showing full landscape screens around the perimeter of the development.
4. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

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

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; FLASH PROPERTY MANAGEMENT, LLC., P.O BOX 723, BLOOMINGDALE, IL 60108/ AGENT: PHILLIP A. LUETKEHANS AND BRIAN J. ARMSTRONG, LUETKEHANS, BRADY, GARNER, & ARMSTRONG, LLC., 105 E. IRVING PARK ROAD, ITASCA, IL 60143; and Township Assessor, Milton Township, 1492 N. Main Street, Wheaton, IL 60187.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Sam Tornatore
<b>SECONDER:</b>	Jim Zay

<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

12.D. [DC-O-0003-24](#)

ZONING-23-000085 – Beilani: To approve the following zoning relief:

Conditional Use to allow auto sales (selling on the internet) in the B-1 Local Business District. (Downers Grove/ District 3)

ZHO Recommendation to Deny

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

WHEREAS, a public hearing was held on November 29, 2023 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

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

Conditional Use to allow auto sales (selling on the internet) in the B-1 Local Business District, on the property hereinafter described:

PARCEL 1: THE SOUTH 180 FEET AS MEASURED IN THE EASTERLY AND WESTERLY LINES OF LOT 3 IN RAMBLIN ROSE SOUTH ASSESSMENT PLAT, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 8, 1968 AS DOCUMENT R68-9754.

PARCEL 2: A NON-EXCLUSIVE PERPETUAL EASEMENT APPURTENANT TO PARCEL 1 FOR THE PURPOSE OF INGRESS AND EGRESS OVER A 25 FOOT PARCEL OF LAND LYING NORTH OF AND ADJACENT TO THE NORTHERLY LINE OF PARCEL 1, RECORDED DECEMBER 29, 1978, AND KNOWN AS DOCUMENT R78-125107.

PARCEL 3: A NON-EXCLUSIVE, PERPETUAL EASEMENT, APPURTENANT TO PARCEL 1, FOR THE PURPOSE OF INGRESS AND EGRESS TO AND FROM PARCEL 1 AND FOR THE PURPOSES OF INSTALLING, OPERATING, MAINTAINING, REPAIRING, REPLACING, AND RENEWING STORM SEWER LINE, SANITARY SEWER LINE, WATER LINE, GAS LINE, AND ELECTRICAL LINE, OVER, UPON AND ACROSS THE FOLLOWING DESCRIBED PROPERTY: A PARCEL OF LAND COMMENCING AT THE INTERSECTION OF THE SOUTHERLY PROPERTY LINE OF PARCEL 1 AND THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 83; THENCE SOUTHERLY ALONG THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 83, TO THE POINT OF INTERSECTION WITH THE SOUTHERLY BOUNDARY OF MOCKINGBIRD LANE; THENCE WESTERLY ALONG THE SOUTHERLY BOUNDARY OF MOCKINGBIRD LANE, TO THE POINT OF INTERSECTIUON WITH THE EASTERLY BOUNDARY OF LILAC LANE EXTENDED; THENCE NORTHERLY ALONG THE EASTERLY BOUNDARY OF LILAC LANE, EXTENDED TO THE POINT OF INTERSECTION WITH THE SOUTHERLY PROPERTY LINE OF PARCEL 1; THENCE EASTERLY ALONG THE SOUTHERLY PROPERTY LINE OF PARCEL 1, TO THE POINT OF BEGINNING, RECORDED DECEMBER 22, 1978 AS DOCUMENT R78-123155; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on November 29, 2023 does find as follows:

**FINDINGS OF FACT:**

- A. That petitioner testified that he seeks the subject zoning relief to allow auto sales (selling on the internet) in the B-1 Local Business District.
- B. That petitioner testified that the luxury car sales would be completed through appointment only and not open to the public.
- C. That petitioner testified that no advertising signs or balloons would be present on the subject property for the proposed auto sales business.
- D. That petitioner testified that the proposed auto sales business hours would be 9 AM - 6 PM and closed on Sundays.
- E. That petitioner testified that they would have fifty (50) electric and luxury cars for sale, at maximum.
- F. That the Zoning Hearing Officer finds that petitioner has not demonstrated or provided sufficient evidence for a Conditional Use to allow auto sales (selling on the internet) in the B-1 Local Business District. In addition, that the Zoning Hearing Officer finds that petitioner did not demonstrate or provide evidence regarding the required Standards for Conditional Uses.
  - a. Furthermore, that the Zoning Hearing Officer finds that petitioner did not address concerns from the Tri-State Fire Protection District regarding improvements to the site, such as the installation of a fire hydrant.

**STANDARDS FOR CONDITIONAL USES:**

- 1. That the Zoning Board of Appeals 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 sufficient evidence that the proposed auto sales business 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 not demonstrated** or provided sufficient evidence that the proposed auto sales business 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** or provided sufficient evidence that the proposed auto sales business 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 sufficient evidence that the proposed auto sales business 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 the proposed auto sales business 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** or provided evidence that the proposed auto sales business 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 the proposed auto sales business 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-23-000085 Beilani

**ZONING REQUEST** Conditional Use to allow auto sales (selling on the internet) in the B-1 Local Business District.

**OWNER** CARITE REALTY, LLC., 10S710 KINGERY HWY, WILLOWBROOK, IL 60527/  
CARITE REALTY, LLC., 101 W 14 MILE, MADISON HTS, MI 48071/ AGENT: MOHANAD  
BEILANI, 10S710 KINGERY HWY, WILLOWBROOK, IL 60527

**ADDRESS/LOCATION** 10S710 KINGERY HWY, WILLOWBROOK, IL 60527

**PIN** 10-02-303-010

**TWSP./CTY. BD. DIST.** DOWNERS GROVE DISTRICT 3

**ZONING/LUP** B-1 LOCAL BUSINESS LOCAL COMMERCIAL

**AREA** 1.59 ACRES (69,260 SQ. FT.)

**UTILITIES** WATER AND SEWER

**PUBLICATION DATE** Daily Herald: NOVEMBER 14, 2023

**PUBLIC HEARING** WEDNESDAY, NOVEMBER 29, 2023

##### **ADDITIONAL INFORMATION:**

**Building:** No Objections.

**DUDOT:** *No Comments Received.*

**Health:** Our office has no jurisdiction in this matter.

**Stormwater:** Our office has no jurisdiction in this matter.

**Public Works:** No Objection with the concept of the petition. Additional information may be required at time of permit application. "We are the sanitary sewer and water provider."

##### **EXTERNAL:**

**Village of Burr Ridge:** (See attached documentation)

**City of Darien:** No Objections.

**Village of Lemont:** *No Comments Received.*

Downers Grove Township: *No Comments Received.*

Township Highway: Our office has no jurisdiction in this matter.

Tri-State Fire Dist.: (See attached documentation)

Sch. Dist. 180: No Objections.

Sch. Dist. 86: No Objections.

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."

### LAND USE

#### Location    Zoning    Existing Use    LUP

Subject B-1 Local Business Commercial    Local Commercial

North B-1 Local Business Commercial    Local Commercial

South Mockingbird Lane and beyond R-6 General Residential Multi-Family    Multi-Family 5-15 DU AC

East Route 83 and beyond Village of Burr Ridge House    Village of Burr Ridge

West R-6 General Residential Multi-Family    Multi-Family 15+ DU AC

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on November 29, 2023, recommends to deny the following zoning relief:

Conditional Use to allow auto sales (selling on the internet) in the B-1 Local Business District.

#### **ZHO Recommendation to Deny**

WHEREAS, the County Board Development Committee on January 16, 2024, considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and on a motion to approve, the motion failed relative to the following zoning relief:

Conditional Use to allow auto sales (selling on the internet) in the B-1 Local Business District.

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

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

Conditional Use to allow auto sales (selling on the internet) in the B-1 Local Business District, on the property hereinafter described:

PARCEL 1: THE SOUTH 180 FEET AS MEASURED IN THE EASTERLY AND WESTERLY LINES OF LOT 3 IN RAMBLIN ROSE SOUTH ASSESSMENT PLAT, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE

THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 8, 1968 AS DOCUMENT R68-9754.

PARCEL 2: A NON-EXCLUSIVE PERPETUAL EASEMENT APPURTENANT TO PARCEL 1 FOR THE PURPOSE OF INGRESS AND EGRESS OVER A 25 FOOT PARCEL OF LAND LYING NORTH OF AND ADJACENT TO THE NORTHERLY LINE OF PARCEL 1, RECORDED DECEMBER 29, 1978, AND KNOWN AS DOCUMENT R78-125107.

PARCEL 3: A NON-EXCLUSIVE, PERPETUAL EASEMENT, APPURTENANT TO PARCEL 1, FOR THE PURPOSE OF INGRESS AND EGRESS TO AND FROM PARCEL 1 AND FOR THE PURPOSES OF INSTALLING, OPERATING, MAINTAINING, REPAIRING, REPLACING, AND RENEWING STORM SEWER LINE, SANITARY SEWER LINE, WATER LINE, GAS LINE, AND ELECTRICAL LINE, OVER, UPON AND ACROSS THE FOLLOWING DESCRIBED PROPERTY: A PARCEL OF LAND COMMENCING AT THE INTERSECTION OF THE SOUTHERLY PROPERTY LINE OF PARCEL 1 AND THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 83; THENCE SOUTHERLY ALONG THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 83, TO THE POINT OF INTERSECTION WITH THE SOUTHERLY BOUNDARY OF MOCKINGBIRD LANE; THENCE WESTERLY ALONG THE SOUTHERLY BOUNDARY OF MOCKINGBIRD LANE, TO THE POINT OF INTERSECTUON WITH THE EASTERLY BOUNDARY OF LILAC LANE EXTENDED; THENCE NORTHERLY ALONG THE EASTERLY BOUNDARY OF LILAC LANE, EXTENDED TO THE POINT OF INTERSECTION WITH THE SOUTHERLY PROPERTY LINE OF PARCEL 1; THENCE EASTERLY ALONG THE SOUTHERLY PROPERTY LINE OF PARCEL 1, TO THE POINT OF BEGINNING, RECORDED DECEMBER 22, 1978 AS DOCUMENT R78-123155; and

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

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; CARITE REALTY, LLC., 10S710 KINGERY HWY, WILLOWBROOK, IL 60527/ CARITE REALTY, LLC., 101 W 14 MILE, MADISON HTS, MI 48071/ AGENT: MOHANAD BEILANI, 10S710 KINGERY HWY, WILLOWBROOK, IL 60527; and Township Assessor, Downers Grove Township, 4340 Prince Street, Downers Grove, IL 60515.

<b>RESULT:</b>	DEFEATED
<b>MOVER:</b>	Sam Tornatore
<b>SECONDER:</b>	Liz Chaplin
<b>NAY:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

ZONING-23-000086 – Davis Land Holdings: To approve the following zoning relief: Conditional Use to increase the total area of detached accessory buildings from permitted 1,494 sq. ft. to approximately 2,128 sq. ft. (1,504 sq. ft. for existing detached garage and 624 for proposed detached garage). (Wayne/District 6)  
ZHO Recommendation to Approve  
Development Committee VOTE (to Approve): 4 Ayes, 0 Nays, 2 Absent

WHEREAS, a public hearing was held on November 29, 2023 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

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

Conditional Use to increase the total area of detached accessory buildings from permitted 1,494 sq. ft. to approximately 2,128 sq. ft. (1,504 sq. ft. for existing detached garage and 624 for proposed detached garage), on the property hereinafter described:

LOT 23 IN MARDON ACRES, BEING A SUBDIVISION OF PART OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE SECTION 31, TOWNSHIP 40 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 4, 1948 AS DOCUMENT 555355, IN DUPAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on November 29, 2023 does find as follows:

**FINDINGS OF FACT:**

- A. That petitioner testified that the subject zoning relief is to allow a Conditional Use to increase the total area of detached accessory buildings from permitted 1,494 sq. ft. to approximately 2,128 sq. ft. (1,504 sq. ft. for existing detached garage and 624 for proposed detached garage).
- B. That petitioner testified that he has lived at the subject property for one (1) year.
- C. That petitioner testified that the subject property is approximately two (2) acres in size and has an existing 1,504 sq. ft. detached accessory building that is used for storage of household accessory equipment.
- D. That petitioner testified that he requires additional space on the subject property due to the lack of storage within the existing house and the attached garage that has been turn into a hobby room, and that he requires an enclosed space to safely store his permitted four (4) passenger vehicles from the elements.

- E. That the Zoning Hearing Officer finds that petitioner has demonstrated evidence to allow a Conditional Use to increase the total area of detached accessory buildings from permitted 1,494 sq. ft. to approximately 2,128 sq. ft. (1,504 sq. ft. for existing detached garage and 624 for proposed detached garage) and that the proposed detached accessory building will not impact adjacent properties and roadways, will not impact drainage, and will not impede ventilation and light to the subject property or adjacent properties.

**STANDARDS FOR CONDITIONAL USES:**

1. That the Zoning Hearing Officer finds that petitioner **has demonstrated** that the granting of the Conditional Use is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's comprehensive plan for development; and specifically, that the granting of the Conditional Use will not:
  - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has demonstrated** that the proposed increase of the total area of detached accessory buildings will not impact or impair the supply of light and air to adjacent properties and will meet all required setbacks.
  - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that they will receive a building permit from the County for the proposed detached accessory building and that it will be built pursuant to the current DuPage County building codes.
  - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed increase of the total area of detached accessory buildings will not diminish the value of land and that the neighbors do not object.
  - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the proposed detached accessory building will be located behind the front wall of the home and will not impact traffic.
  - e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the County's Stormwater Department has no objections to the proposed detached accessory building.
  - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the County's Stormwater Department has no objections to the proposed detached accessory building.
  - 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 increase of the total area of detached accessory buildings will not have any impact on adjacent properties and roadways, will not impact on drainage, and will not impede ventilation and light to the subject property or adjacent properties.

**PETITIONER'S DEVELOPMENT FACT SHEET**

**GENERAL ZONING CASE INFORMATION**



**CASE #/PETITIONER ZONING-23-000086 Davis Land Holdings, LLC.**

**ZONING REQUEST** Conditional Use to increase the total area of detached accessory buildings from permitted 1,494 sq. ft. to approximately 2,128 sq. ft. (1,504 sq. ft. for existing detached garage and 624 for proposed detached garage).

**OWNER** DAVIS LAND HOLDINGS, LLC., 2N580 JEFFERSON ROAD, WEST CHICAGO, IL 60185/ **AGENT:** DANIEL DAVIS, 2N580 JEFFERSON ROAD, WEST CHICAGO, IL 60185

**ADDRESS/LOCATION** 2N580 JEFFERSON ROAD, WEST CHICAGO, IL 60185  
**PIN** 01-36-200-013

**TWSP./CTY. BD. DIST.** WAYNE DISTRICT 6

**ZONING/LUP** R-2 SF RES 0-5 DU AC

**AREA** 2.11 ACRES (91,912 SQ. FT.)

**UTILITIES** WELL AND SEPTIC

**PUBLICATION DATE** Daily Herald: NOVEMBER 14, 2023

**PUBLIC HEARING** WEDNESDAY, NOVEMBER 29, 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 Carol Stream: *No Comments Received.*

Village of Winfield: *No Comments Received.*

City of West Chicago: *No Comments Received.*

Wayne Township: *No Comments Received.*

Township Highway: *No Comments Received.*

Carol Stream Fire Dist.: No Objections with the concept of the petition. Additional information may be required at time of permit application.

Sch. Dist. 25: *No Comments Received.*

Sch. Dist. 94: *No Comments Received.*

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**

Floor Area Ratio: 1,494 SQ. FT. 1,504 SQ. FT. 2,128 SQ. FT.

**LAND USE**

**Location Zoning Existing Use LUP**

Subject R-2 SF RES HOUSE 0-5 DU AC

North JEFFERSON ROAD AND BEYOND R-2 SF RES HOUSE 0-5 DU AC

South VILLAGE OF CAROL STREAM VACANT VILLAGE OF CAROL STREAM

East R-2 SF RES HOUSE 0-5 DU AC

West VILLAGE OF CAROL STREAM VACANT VILLAGE OF CAROL STREAM

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above

and at the recommendation meeting held on November 29, 2023, recommends to approve the following zoning relief:

Conditional Use to increase the total area of detached accessory buildings from permitted 1,494 sq. ft. to approximately 2,128 sq. ft. (1,504 sq. ft. for existing detached garage and 624 for proposed detached garage).

**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-23-000086 Davis Land Holdings, LLC. dated November 29, 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 petitioner maintains the existing landscaping around the perimeter of the subject property.
4. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

**ZHO Recommendation to Approve**

WHEREAS, the County Board Development Committee on January 16, 2024, considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and recommends to approve the following zoning relief:

Conditional Use to increase the total area of detached accessory buildings from permitted 1,494 sq. ft. to approximately 2,128 sq. ft. (1,504 sq. ft. for existing detached garage and 624 for proposed detached garage).

**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-23-000086 Davis Land Holdings, LLC. dated November 29, 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 petitioner maintains the existing landscaping around the perimeter of the subject property.
4. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

**Development Committee VOTE (to Approve): 4 Ayes, 0 Nays, 2 Absent**

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County,

Illinois that the following zoning relief be granted:

Conditional Use to increase the total area of detached accessory buildings from permitted 1,494 sq. ft. to approximately 2,128 sq. ft. (1,504 sq. ft. for existing detached garage and 624 for proposed detached garage), on the property hereinafter described:

LOT 23 IN MARDON ACRES, BEING A SUBDIVISION OF PART OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE SECTION 31, TOWNSHIP 40 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 4, 1948 AS DOCUMENT 555355, IN DUPAGE COUNTY, ILLINOIS; and

**The Zoning Relief is subject to the following conditions:**

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition #ZONING-23-000086 Davis Land Holdings, LLC. dated November 29, 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 petitioner maintains the existing landscaping around the perimeter of the subject property.
4. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

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

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; DAVIS LAND HOLDINGS, LLC., 2N580 JEFFERSON ROAD, WEST CHICAGO, IL 60185/ AGENT: DANIEL DAVIS, 2N580 JEFFERSON ROAD, WEST CHICAGO, IL 60185; and Township Assessor, Wayne Township, 27W031 North Avenue, West Chicago, IL 60185.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Sam Tornatore
<b>SECONDER:</b>	Patty Gustin
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

ZONING-23-000087 – Route 53 Café: To approve the following zoning relief:  
Conditional Use for a Class B/Tavern Restaurant in a B-1 Local Business District.  
(Milton/District 4)  
ZHO Recommendation to Approve  
Development Committee VOTE (to Approve): 4 Ayes, 0 Nays, 2 Absent

WHEREAS, a public hearing was held on November 29, 2023 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

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

Conditional Use for a Class B/Tavern Restaurant in a B-1 Local Business District, on the property hereinafter described:

LOT 1 IN BUTTERFIELD COMMONS ASSESSMENT PLAT NO. 2, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 26 AND THE NORTHEAST QUARTER OF SECTION 32, BOTH IN TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 7, 1987, AS DOCUMENT R87-118396, IN DUPAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on November 29, 2023 does find as follows:

**FINDINGS OF FACT:**

- A. That petitioner testified that the subject zoning relief is for a video gaming café, which is considered a Class B Restaurant/Tavern under the B-1 Zoning District.
- B. That petitioner testified that per the State of Illinois, a video gaming café requires a liquor license, which is obtainable under a Class B Restaurant/Tavern for unincorporated DuPage County.]
  - a. That petitioner testified that he would be permitted to have up to six (6) video gaming machines.
- C. That petitioner testified that he proposes to sell packaged snacks and beer/wine, and that no food is cooked or prepared on the premises.
- D. That petitioner testified that the proposed hours of operation would be 10 AM - 11 PM Sunday through Thursday, and 10 AM - 12 AM Friday and Saturday.
- E. That petitioner testified that the proposed video gaming café will be operated in the existing building with ample parking and that he does not need to construct anything on the subject property..

- a. Furthermore, that petitioner testified that there is sufficient parking for the proposed video gaming café, as the property is shared with a large banquet facility.
- F. That petitioner testified that the proposed video gaming café will have approximately two (2) employees.
- G. That the Zoning Hearing finds that petitioner has demonstrated sufficient evidence for a Conditional Use for a Class B/Tavern Restaurant in a B-1 Local Business District and that petitioner provided evidence that the proposed video gaming café will be operated in an existing storefront, will not impact adjacent properties, and that they will have sufficient parking for the video gaming café.

**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 Class B/Tavern Restaurant will be located in an existing building/storefront on the subject property, and therefore will not impair an adequate supply of light and air to adjacent properties.
  - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that the proposed Class B/Tavern Restaurant will be operated in an existing building/storefront on the subject property and that he will receive a permit for any construction on the subject property.
  - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** the proposed Class B/Tavern Restaurant will be an added benefit to the area and that the existing storefront is built to the current DuPage County building codes, which 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 Class B/Tavern Restaurant will not unduly increase traffic congestion in the public streets and that petitioner testified that there is sufficient parking on the subject property.
  - e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the proposed Class B/Tavern Restaurant will not increase the potential for flood damages, as it will be operated in the existing building on the subject property.
  - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** the proposed Class B/Tavern Restaurant will not incur additional public expense for flood protection, rescue, or relief, as the proposed Class B/Tavern

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Restaurant will be operated in the existing building on the subject property.

- 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 Class B/Tavern Restaurant will be an added benefit to the area, and that it will be operated in the existing building/storefront on the subject property, which will not impair the public health, safety, comfort, morals, or general welfare.

PETITIONER'S DEVELOPMENT FACT SHEET

**GENERAL ZONING CASE INFORMATION**

**CASE #/PETITIONER ZONING-23-000087 ROUTE 53 CAFE**

**ZONING REQUEST** Conditional Use for a Class B/Tavern Restaurant in a B-1 Local Business District.

**OWNER** MAR LAC HOUSE LTD, 3S002 ROUTE 53, GLEN ELLYN, IL 60137/  
**AGENT:** ROBERT FABBRI, 2095 SANDELL LANE, NORTH AURORA, IL 60542

**ADDRESS/LOCATION** 3S002 ROUTE 53, GLEN ELLYN, IL 60137

**PIN** 05-35-205-020

**TWSP./CTY. BD. DIST.** MILTON DISTRICT 4

**ZONING/LUP** B-1 LOCAL BUSINESS LOCAL COMMERCIAL

**AREA** 6.38 ACRES (277,913 SQ. FT.)

**UTILITIES** WATER AND SEWER

**PUBLICATION DATE** Daily Herald: NOVEMBER 14, 2023

**PUBLIC HEARING** WEDNESDAY, NOVEMEER 29, 2023

**ADDITIONAL INFORMATION:**

**Building:** No Objections.

**DUDOT:** Our office has no jurisdiction in this matter.

**Health:** No Objections 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:** Our office has no jurisdiction in this matter.

**EXTERNAL:**

**Village of Glen Ellyn:** *No Comments Received.*

**Village of Downers Grove:** "The Village of Downers Grove has no comments."

**Village of Lombard:** *No Comments Received.*

**City of Wheaton:** *No Comments Received.*

**Milton Township:** *No Comments Received.*

**Township Highway:** No Objections with the concept of the petition. Additional information may be required at time of permit application.

**Lisle-Woodridge Fire Dist.:** "N/A"

**Sch. Dist. 89:** *No Comments Received.*

**Sch. Dist. 87:** *No Comments Received.*

**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."

**LAND USE****Location   Zoning Existing Use   LUP**

Subject   B-1 LOCAL BUSINESS   COMMERCIAL/ BANQUET FACILITY  
LOCAL COMMERCIAL

North BUTTERFIELD ROAD AND BEYOND R-3 SF RES   HOUSE

South B-1 LOCAL BUSINESS   COMMERCIAL

East ROUTE 53 AND BEYOND VILLAGE OF DOWNERS GROVE   FOREST  
PRESERVE VILLAGE OF DOWNERS GROVE

West R-4 SF RES   HOUSE   0-5 DU AC

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on November 29, 2023, recommends to approve the following zoning relief:

Conditional Use for a Class B/Tavern Restaurant in a B-1 Local Business District.

**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-23-000087 **Route 53 Cafe** dated November 29, 2023.
2. That the Conditional Use zoning relief shall expire after five (5) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
  - a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
  - b. The structure is voluntarily removed.
3. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
4. That the Conditional Use shall inure only to the owner, MAR LAC HOUSE LTD and/or ROBERT FABBRI, and shall terminate in the event that the owner, or any entity owned or controlled by MAR LAC HOUSE LTD and/or ROBERT FABBRI discontinues operation of the subject Conditional Use on the subject property.
5. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

**ZHO Recommendation to Approve**

WHEREAS, the County Board Development Committee on January 16, 2024,

considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and recommends to approve the following zoning relief:

Conditional Use for a Class B/Tavern Restaurant in a B-1 Local Business District.

**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-23-000087 Route 53 Cafe dated November 29, 2023.
1. That the Conditional Use zoning relief shall expire after five (5) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
  - a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
  - b. The structure is voluntarily removed.
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 Conditional Use shall inure only to the owner, MAR LAC HOUSE LTD and/or ROBERT FABBRI, and shall terminate in the event that the owner, or any entity owned or controlled by MAR LAC HOUSE LTD and/or ROBERT FABBRI discontinues operation of the subject Conditional Use on the subject property.
4. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

**Development Committee VOTE (to Approve): 4 Ayes, 0 Nays, 2 Absent**

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

Conditional Use for a Class B/Tavern Restaurant in a B-1 Local Business District, on the property hereinafter described:

LOT 1 IN BUTTERFIELD COMMONS ASSESSMENT PLAT NO. 2, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 26 AND THE NORTHEAST QUARTER OF SECTION 32, BOTH IN TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 7, 1987, AS DOCUMENT R87-118396, IN DUPAGE COUNTY, ILLINOIS; and

**The Zoning Relief is subject to the following conditions:**

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition #ZONING-23-000087 Route 53 Cafe dated November 29, 2023.



2. That the Conditional Use zoning relief shall expire after five (5) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
  - a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
  - b. The structure is voluntarily removed.
3. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
4. That the Conditional Use shall inure only to the owner, MAR LAC HOUSE LTD and/or ROBERT FABBRI, and shall terminate in the event that the owner, or any entity owned or controlled by MAR LAC HOUSE LTD and/or ROBERT FABBRI discontinues operation of the subject Conditional Use on the subject property.
5. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

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

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; MAR LAC HOUSE LTD, 3S002 ROUTE 53, GLEN ELLYN, IL 60137/ AGENT: ROBERT FABBRI, 2095 SANDELL LANE, NORTH AURORA, IL 60542; and Township Assessor, Milton Township, 1492 N. Main Street, Wheaton, IL 60187.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Sam Tornatore
<b>SECONDER:</b>	Yeena Yoo
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

12.G. [DC-O-0006-24](#)

ZONING-23-000092 – Seoles: To approve the following zoning relief:

Conditional Use to increase the total size of detached accessory buildings from permitted 650 sq. ft. to approximately 1,200 sq. ft. (Bloomington/District 1)  
ZHO Recommendation to Deny  
Development Committee VOTE (Motion to Approve Failed ): 0 Ayes, 4 Nays, 2 Absent

WHEREAS, a public hearing was held on December 6, 2023 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

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

Conditional Use to increase the total size of detached accessory buildings from permitted 650 sq. ft. to approximately 1,200 sq. ft., on the property hereinafter described:

OF LOT 14 IN BLOCK 2 IN BRANIGAR'S MEDINAH TERRACE UNIT NUMBER 1, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 1 AND PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 40 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 12, 1951 AS DOCUMENT 628333, IN DUPAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on December 6, 2023 does find as follows:

**FINDINGS OF FACT:**

- A. That petitioner testified that they seek the subject zoning relief to allow a Conditional Use to increase the total size of detached accessory buildings from permitted 650 sq. ft. to approximately 1,200 sq. ft.
- B. That petitioner testified that the subject property's address is 21W732 Maple Avenue, Medinah, IL 60157, and that they also own live at and own property next door, 21W715 Maple Avenue, Medinah, IL 60157.
- C. That petitioner testified that they have owned the subject property for approximately one (1) year and that the existing detached garage is in poor condition.
  - a. Furthermore, that petitioner testified that they propose to construct a new 1,200 sq. ft. detached garage on the subject property that would be serviced with electric and would not have a driveway.
- D. That petitioner testified that they have family that occasionally visits from out of state and stay at the subject property, and that they utilize the subject property for additional storage of household accessory equipment and tools for their adjacent home at 21W715 Maple Avenue, Medinah.

- 
- E. That petitioner testified that they own a resale store/cabinetry business that is operated off site at another property with 11,000 sq. ft. of storage space.
  - F. That the Zoning Hearing Officer finds that the petitioner has not demonstrated or provided sufficient evidence for the requested zoning relief, as the subject property is a vacant home with proposed and current storage for another property owned by the petitioner.
    - a. That the Zoning Hearing Officer finds that petitioner testified that the subject property is utilized for storage and that no one is living at the subject property.
    - b. Furthermore, that the petitioner testified that the residence is occupied only occasionally by relatives and therefore it is a likely risk that the need for the oversized detached garage is intended for the use of petitioner's business, particularly likely because vehicle storage is not intended for the garage as there is no driveway proposed.

**STANDARDS FOR CONDITIONAL USES:**

- 1. That the Zoning Board of Appeals 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 sufficient evidence that the proposed 1,200 sq. ft. detached garage 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 not demonstrated** or provided sufficient evidence that the proposed 1,200 sq. ft. detached garage 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** or provided sufficient evidence that the proposed 1,200 sq. ft. 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 sufficient evidence that the proposed 1,200 sq. ft. detached garage 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 the proposed 1,200 sq. ft. detached garage 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** or provided evidence that the proposed 1,200 sq. ft. 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 the proposed, 1,200 sq. ft. detached garage 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-23-0000092 Seoles**

**ZONING REQUEST** Conditional Use to increase the total size of detached accessory buildings from permitted 650 sq. ft. to approximately 1,200 sq. ft.

**OWNER** NICK SEOLES, 21W732 MAPLE AVENUE, MEDINAH, IL 60157 / NICK SEOLES, 21W715 MAPLE AVENUE, MEDINAH, IL 60157

**ADDRESS/LOCATION** 21W732 MAPLE AVENUE, MEDINAH, IL 60157

**PIN**02-01-301-018

**TWSP./CTY. BD. DIST.** BLOOMINGDALE DISTRICT 1

**ZONING/LUP** R-3 SF RES 0-5 DU AC

**AREA** 0.59 ACRES

**UTILITIES**WELL / SEPTIC

**PUBLICATION DATE**Daily Herald: NOVEMBER 21, 2023

**PUBLIC HEARING** WEDNESDAY, DECEMBER 6, 2023

**ADDITIONAL INFORMATION:**

Building: No Objections.

DUDOT: Our office has no jurisdiction in this matter.

Health: No Objections with the concept of the petition. Additional information may be required at time of permit application.

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 Roselle: Our office has no jurisdiction in this matter. "Not within the planning jurisdiction of the Village of Roselle."

Village of Itasca *No Comments Received.*

Village of Bloomingdale *No Comments Received.*

Bloomington Township No Objections with the concept of the petition. Additional information may be required at time of permit application. "Must apply for entrance bond with Bloomington Township. Provide any side plan showing changes."

Township Highway: *No Comments Received.*

Roselle Fire Dist.: *No Comments Received.*

Sch. Dist. 11: *No Comments Received.*

Sch. Dist. 108: *No Comments Received.*

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**

Front Yard: 30 FT    180 FT    185 FT

Int. Side Yard: 10 FT    65 FT    15 FT

Int. Side Yard: 10 FT    15 FT    45 FT

Rear Yard: 3 FT    25 FT    10 FT

Floor Area Ratio: 650 SQ. FT.    400 SQ. FT.    APPROX. 1,200 SQ. 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 MAPLE AVENUE AND BEYOND R-3 SF RES    HOUSE    0-5 DU AC

East R-3 SF RES    HOUSE    0-5 DU AC

West R-3 SF RES    HOUSE    0-5 DU AC

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on December 6, 2023, recommends to deny the following zoning relief:

Conditional Use to increase the total size of detached accessory buildings from permitted 650 sq. ft. to approximately 1,200 sq. ft.

**ZHO Recommendation to Deny**

WHEREAS, the County Board Development Committee on January 16, 2024, considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and on a motion to approve, the motion failed relative to the following zoning relief:

Conditional Use to increase the total size of detached accessory buildings from permitted 650 sq. ft. to approximately 1,200 sq. ft.

**Development Committee VOTE (Motion to Approve Failed): 0 Ayes, 4 Nays, 2 Absent**

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

Conditional Use to increase the total size of detached accessory buildings from permitted 650 sq. ft. to approximately 1,200 sq. ft., on the property hereinafter described:

OF LOT 14 IN BLOCK 2 IN BRANIGAR'S MEDINAH TERRACE UNIT NUMBER 1, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 1 AND PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 40 NORTH, RANGE 10, EAST OF THE

THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 12, 1951 AS DOCUMENT 628333, IN DUPAGE COUNTY, ILLINOIS; and

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

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; NICK SEOLES, 21W732 MAPLE AVENUE, MEDINAH, IL 60157 / NICK SEOLES, 21W715 MAPLE AVENUE, MEDINAH, IL 60157; and Township Assessor, Bloomingdale Township, 123 N. Rosedale, Bloomingdale, IL 60108.

<b>RESULT:</b>	DEFEATED
<b>MOVER:</b>	Sam Tornatore
<b>SECONDER:</b>	Patty Gustin
<b>NAY:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

12.H. [DC-O-0007-24](#)

ZONING-23-000093 – Courtney: To approve the following zoning relief:

Conditional Use to allow the good side of the fence to face inward instead of outward to adjacent property. (Downers Grove/ District 2)

ZHO Recommendation to Approve

Development Committee VOTE (to Approve): 4 Ayes, 0 Nays, 2 Absent

WHEREAS, a public hearing was held on December 6, 2023 in the DuPage County Administration Building, 421 North County Farm Road, Wheaton, Illinois at 2:30 P.M. before the DuPage County Zoning Hearing Officer and notice of said hearing was duly given; and

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

Conditional Use to allow the good side of the fence to face inward instead of outward to adjacent property, on the property hereinafter described:

LOTS 34 AND 35 IN BLOCK "E" IN FIRST ADDITION TO LIBERTY PARK, BEING A SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 9, 1925 AS DOCUMENT 204461, IN DUPAGE COUNTY, ILLINOIS; and

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above requested zoning petition presented at the above hearing and at the recommendation meeting held on December 6, 2023 does find as follows:

**FINDINGS OF FACT:**

- A. That petitioner testified that the subject zoning relief is to allow the finished side of fence to face inward instead of outward toward the adjacent property.
- B. That petitioner testified that they have lived at the subject property since 2017.
- C. That petitioner testified that the previous fence fell down in a storm and that they replaced the subject fence as it previously existed when they purchased the home, with the finished side facing inward instead of outward.
- D. That Hearing Officer finds that petitioner has demonstrated that subject zoning relief to allow the finished side of fence to face inward instead of outward toward the adjacent property does not have any impact on adjacent properties and roadways, does not impact on drainage, and does not impede ventilation and light to the subject property or adjacent properties.

**STANDARDS FOR CONDITIONAL USES:**

1. That the Zoning Hearing Officer finds that petitioner **has demonstrated** that the granting of the Conditional Use is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's comprehensive plan for development; and specifically, that the granting of the Conditional Use will not:
  - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has demonstrated** that the subject fence does not impact or impair the supply of light and air to adjacent properties.
  - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that they will apply for a building permit from the County for the subject fence.
  - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the subject fence does not diminish the value of land and buildings

throughout the County, as the fence replaced a previously existing fence in the same orientation with the good side facing inward.

- d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the subject fence is located behind the front wall of the home and does not impact traffic.
- e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the County's Stormwater Department has no objections to the subject fence.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the County's Stormwater Department has no objections to the subject fence.
- g. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County as petitioner **has demonstrated** that the subject fence does not have any impact on adjacent properties and roadways, does not impact on drainage, and does not impede ventilation and light to the subject property or adjacent properties.

#### PETITIONER'S DEVELOPMENT FACT SHEET

##### **GENERAL ZONING CASE INFORMATION**

**CASE #/PETITIONER** ZONING-23-000093 Courtney

**ZONING REQUEST** Conditional Use to allow the good side of the fence to face inward instead of outward to adjacent property.

**OWNER** JASON AND ANNA COURTNEY, 4005 N GRANT STREET, WESTMONT, IL 60559

**ADDRESS/LOCATION** 4005 N GRANT STREET, WESTMONT, IL 60559  
**PIN** 09-04-212-002

**TWSP./CTY. BD. DIST.** DOWNERS GROVE DISTRICT 2

**ZONING/LUP** R-4 SF RES 0-5 DU AC

**AREA** 0.34 ACRES (14,810 SQ. FT.)

**UTILITIES** WELL / SEWER

**PUBLICATION DATE** Daily Herald: NOVEMBER 21, 2023

**PUBLIC HEARING** WEDNESDAY, DECEMBER 6, 2023

##### **ADDITIONAL INFORMATION:**

**Building:** No Objections.

**DUDOT:** Our office has no jurisdiction in this matter.



Health: No Objections.

Stormwater: Our office has no jurisdiction in this matter.

Public Works: Our office has no jurisdiction in this matter.

**EXTERNAL:**

Village of Westmont:

Village of Downers Grove: "The Village of Downers Grove has no comments."

Village of Oak Brook: *No Comments Received.*

Village of Clarendon Hills: *No Comments Received.*

Downers Grove Township: *No Comments Received.*

Township Highway: Our office has no jurisdiction in this matter.

Westmont Fire Dist.: *No Comments Received.*

Sch. Dist. 201: *No Comments Received.*

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."

**LAND USE**

<b>Location</b>	<b>Zoning</b>	<b>Existing Use</b>	<b>LUP</b>
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	HOUSE	0-5 DU AC
West	GRANT STREET AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC

WHEREAS, the Zoning Hearing Officer, having considered in relation to the above and at the recommendation meeting held on December 6, 2023, recommends to approve the following zoning relief:

Conditional Use to allow the good side of the fence to face inward instead of outward to adjacent property.

**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-23-000093 Courtney dated December 6, 2023.
2. That the Conditional Use zoning relief shall expire after five (5) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
  - a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
  - b. The structure is voluntarily removed.
3. That the owner/developer is to apply for and receive a Building Permit for all construction

and/or excavation that occurs on the property.

4. That petitioner maintains the existing landscaping around the perimeter of the subject property.
5. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

**ZHO Recommendation to Approve**

WHEREAS, the County Board Development Committee on January 16, 2023 , considered the above findings and recommendations of the Zoning Hearing Officer and recommends to concur with the findings and recommends to approve the following zoning relief:

Conditional Use to allow the good side of the fence to face inward instead of outward to adjacent property.

**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-23-000093 Courtney dated December 6, 2023.
2. That the Conditional Use zoning relief shall expire after five (5) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
  - a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
  - b. The structure is voluntarily removed.
3. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
4. That petitioner maintains the existing landscaping around the perimeter of the subject property.
5. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

**Development Committee VOTE (to Approve): 4 Ayes, 0 Nays, 2 Absent**

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

Conditional Use to allow the good side of the fence to face inward instead of outward to adjacent

property, on the property hereinafter described:

LOTS 34 AND 35 IN BLOCK "E" IN FIRST ADDITION TO LIBERTY PARK, BEING A SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 9, 1925 AS DOCUMENT 204461, IN DUPAGE COUNTY, ILLINOIS; and

**The Zoning Relief is subject to the following conditions:**

1. That the property be developed in accordance with the petitioner's site plan made part of Zoning Petition #ZONING-23-000093 Courtney dated December 6, 2023.
2. That the Conditional Use zoning relief shall expire after five (5) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
  - a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
  - b. The structure is voluntarily removed.
3. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
4. That petitioner maintains the existing landscaping around the perimeter of the subject property.
5. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

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

BE IT FURTHER ORDAINED that a certified copy of this Ordinance be transmitted by the County Clerk to the DuPage County Finance Department; DuPage County Auditor; DuPage County Treasurer; Paul J. Hoss, Zoning; State's Attorney's Office; DuPage County Health Department; DuPage County Division of Transportation; JASON AND ANNA COURTNEY, 4005 N GRANT STREET, WESTMONT, IL 60559; and Township Assessor, Downers Grove Township, 4340 Prince Street, Downers Grove, IL 60515.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Sam Tornatore
<b>SECONDER:</b>	Dawn DeSart

<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

**13. ECONOMIC DEVELOPMENT - LAPLANTE**

Committee Update

**14. ENVIRONMENTAL - RUTLEDGE**

Committee Update

**15. HUMAN SERVICES - SCHWARZE**

Committee Update

**15.A. [HS-R-0004-24](#)**

Authorizing execution of the intergovernmental agreement between PACE Suburban Bus and DuPage County Community Services for the Senior Transportation Grant Program - \$126,500. (Community Services)

WHEREAS, County of DuPage has accepted and appropriated PY24 Older Americans Act Funds from AgeGuide for the provision of transportation services for older persons traveling to medical appointments and other essential services; and

WHEREAS, County of DuPage recognizes the desirability of collaborating with other government agencies, such as Pace Suburban Bus, to effectively and efficiently implement transportation programs; and

WHEREAS, the Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.), enacted by the State of Illinois, permits the establishment of intergovernmental agreements between public agencies to perform governmental services, activities and undertakings; and

WHEREAS, such an intergovernmental agreement has been negotiated that outlines the terms and conditions associated with the County providing \$126,500 (ONE HUNDRED TWENTY-SIX THOUSAND, FIVE HUNDRED AND NO/100 DOLLARS) to Pace Suburban Bus from budget code 5000-1660-53827 24-703F 53827; and

WHEREAS, it is the opinion of the DuPage County Board, that it is its best interest, and the best interest of its residents, to enter into the aforementioned intergovernmental agreement for the implementation of transportation programs.

NOW, THEREFORE, BE IT RESOLVED that the County Board Chairman is authorized to execute the intergovernmental agreement with Pace Suburban Bus, attached hereto as Exhibit A,

BE IT FURTHER RESOLVED, that the County Clerk is directed to send a copy of this resolution and the executed agreement to Pace Suburban Bus, the DuPage County Department of Community Services, the DuPage County Finance Department, the DuPage County Auditor, and the DuPage County Treasurer.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Greg Schwarze
<b>SECONDER:</b>	Liz Chaplin
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

15.B. [HS-R-0005-24](#)

2024 Annual Action Plan, DuPage County Consortium – SECOND READING – Recommendation for approval of the 2024 Annual Action Plan Element of the 2020-2024 Consolidated Plan for Community Development Block Grant (CDBG) HOME investment Partnership (HOME) and Emergency Solutions Grant (ESG) programs to qualify and receive the Department of Housing and Urban Development (HUD) grant funds (02/13/24)

WHEREAS, DuPage County has participated in the Community Development Block Grant program since 1975; and

WHEREAS, DuPage County has participated in the Emergency Shelter Grant program since 1987; and

WHEREAS, The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (“Hearth Act”), enacted into law on May 20, 2009, consolidated three of the separate homeless assistance programs administered by the U.S. Department of Housing and Urban Development (“HUD”) under the McKinney-Vento Homeless Assistance Act into a single grant program, and revised the Emergency Shelter Grant program and renamed it as the Emergency Solutions Grant (“ESG”) program; and

WHEREAS, DuPage County has participated in the HOME Investment Partnership program since 1992; and

WHEREAS, these programs will provide an approximate total of \$5.8 million in new Federal funding to DuPage County in 2024, and the county will also have available approximately an additional \$1 million in anticipated income and reallocated funds from previous years, said funds being available for Housing and Community Development activities benefiting low- and moderate-income persons, the homeless, and persons with Special needs; and

WHEREAS, a requirement of these programs is the preparation of a Consolidated Plan for Housing and Community Development (ConPlan); and

WHEREAS, the 2020-2024 ConPlan was adopted by the DuPage County Board on March 10, 2020 by Resolution HHS-R-0068-20; and

WHEREAS, a 2024 Action Plan element of the ConPlan, listing activities to be funded in the 2023 program year, is required; and

WHEREAS, 2024 Action Plan projects were approved by the DuPage Community Development Commission Executive Committee and HOME Advisory Group on January 2, 2024 and by the DuPage County Human Services Committee on January 16, 2024; and

WHEREAS, a 30-day public comment period will be completed on February 2, 2024, and a public hearing was held on January 17, 2024, and, in accordance with federal regulations governing the development of consolidated plans, all comments will be included in the final draft of the Action Plan along with responses to these comments.

NOW, THEREFORE, BE IT RESOLVED that the DuPage County Board hereby accepts for First Reading the 2024 Action Plan Element of the DuPage County Consolidated Plan for Housing and Community Development, which is incorporated by reference with this resolution; with the understanding that approval of the document will take place at the Second Reading Scheduled for a later date; and

BE IT FURTHER RESOLVED that the County Clerk be directed to send a certified copy of this Resolution to Community Development Commission.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Greg Schwarze
<b>SECONDER:</b>	Dawn DeSart
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

15.C. [HS-R-0006-24](#)

Recommendation for Approval of a Third Modification to a HOME Investment Partnerships Act (HOME) Agreement with DuPage Habitat for Humanity, Inc, Project Number HM09-03 – Clarifying the Recapture Requirements as well as HOME Affordability Period for Homeownership Assistance.

WHEREAS, DuPage County is and has been a Participating Jurisdiction in the HOME Investment Partnerships Act (HOME) Program since 1992; and

WHEREAS, Pioneer Prairie LLC, an Illinois limited liability company whose sole and managing member is DuPage Habitat for Humanity, Inc., an Illinois not-for-profit corporation, applied for HOME funds to be used for site work, infrastructure on-site, and construction of 11 single-family homes, known as HOME project HM09-03; and

WHEREAS, upon completion of construction, each single-family home was to be sold to HOME income eligible households to be occupied as their primary residence; and

WHEREAS, the DuPage HOME Advisory Group and the County Development Committee have recommended SIX HUNDRED THOUSAND AND 00/100 DOLLARS (\$600,000.00) for said application; and

WHEREAS, an Agreement was adopted by Resolution CDC-019-09 on June 23, 2009 (herein, together with all modifications thereto, the "Agreement"); and

WHEREAS, Agreement Modification One was adopted by Resolution CDC-029-09 on October 27, 2009, for the purpose of changing the entity from "Subrecipient" to "Developer" throughout the Agreement and to modify the procurement procedures; and

WHEREAS, Agreement Modification Two was adopted by Resolution CDC-012-10 on May 11, 2010, for the purpose of clarifying income limits for low-income households to be at or below 60% of Median Family Income for DuPage County and to clarify the income calculation and certification will be completed using the IRS Form 1040 Adjusted Gross Income definition; and

WHEREAS, the attached Modification to Agreement has been prepared to clarify direct HOME subsidy provided to each income eligible household is subject to recapture requirements under the HOME program and to clarify the regulatory HOME Affordability Period for homeownership assistance over \$40,000 is 15-years; and

WHEREAS, the DuPage HOME Advisory Group approved the Agreement Modification on 01/02/2024; and

WHEREAS, the DuPage County Human Services Committee has approved the Agreement Modification 01/16/2024.

NOW THEREFORE BE IT RESOLVED by the County Board that said Modification to Agreement between the County of DuPage and DuPage Habitat for Humanity, Inc., attached hereto, is hereby approved; and

BE IT FURTHER RESOLVED, that the Chair of the DuPage County Board is authorized and directed to execute said Modification to Agreement on behalf of DuPage County and the Clerk is hereby authorized and directed to attest to such execution and affix the official seal thereto; and

BE IT FURTHER RESOLVED, that the Chair of the DuPage County Board is hereby authorized to approve amendments to PROJECT HM09-03 so long as such amendments further the completion of the project and are in accordance with regulations applicable to the HOME Investment Partnerships Program and the policies of DuPage County; and

BE IT FURTHER RESOLVED that the County Clerk be directed to send certified copies of this Resolution to Jennifer Taff, Interim Executive Director, DuPage Habitat for Humanity, Inc., 1600 E. Roosevelt Road, Wheaton, IL 60187; and Community Development; and to send copies to the Auditor, Finance, and the Treasurer.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Greg Schwarze
<b>SECONDER:</b>	Yeena Yoo
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

15.D. [HS-R-0007-24](#)

Recommendation for Approval of a of HOME Investment Partnerships Act (HOME) Funds Agreement with DuPage Pads, Project Number HM21-02b – Tenant Based Rental Assistance – in the Amount of \$100,000 under FY2021, with an Additional \$100,000 in FY2024 funds contingent upon Approval by DuPage County Board and the Department of Housing and Urban Development (HUD) of the 2024 Action Plan Element of the 2020-2024 Consolidated Plan as well as receipt of the FY2024 HOME allocation.

WHEREAS, the Illinois General Assembly has granted COUNTY authority to make all contracts and do all other acts in relation to the property and concerns of the county necessary to the exercise of its corporate powers (Illinois Compiled Statutes, Chapter 55, paragraphs 5/5-1005), and to enter into agreements for the purposes of receiving funds from the United States government under the “Housing and Community Development Act of 1974”, the National Affordable Housing Act of 1990, and the Housing and Community Development Act of 1992, and COUNTY may disburse those funds and other county funds for community development and other housing program activities (Illinois Compiled Statutes, Chapter 55, paragraph 5/5 1093); and

WHEREAS, the COUNTY has applied to HUD for HOME Investment Partnerships Act funds from the United States Department of Housing and Urban Development (“HUD”) as provided by the Cranston-Gonzalez National Affordable Housing Act, as amended (Title II, Pub. L. 101-625) (“ACT”); and

WHEREAS, DUPAGE PADS, INC., an Illinois not-for-profit corporation, (hereinafter called “SUBRECIPIENT”), having a principal place of business at 601 W. Liberty Dr., Wheaton, IL 60187, has been selected as a SUBRECIPIENT to receive a portion of COUNTY’S HOME funds to be used for eligible costs associated with Tenant Based Rental Assistance (TBRA) known as HOME project HM21-02b; and

WHEREAS, HOME funding was identified for the TBRA Program as part of the



2021 Action Plan under Resolution HHS-R-0086-21 as part of the 2020-2024 DuPage County Consolidated Plan submitted to HUD for the HOME Investment Partnerships Program under Resolution #HHS-R-0068-20; and

WHEREAS, HOME funding is identified for the TBRA Program as part of the 2024 Action Plan, anticipated to be adopted by the County Board under Resolution on February 13, 2024, as part of the 2020-2024 DuPage County Consolidated Plan submitted to HUD for the HOME Investment Partnerships Program under Resolution #HHS-R-0068-20; and

WHEREAS, on January 2, 2024, the DuPage HOME Advisory Group and on January 16, 2024, the County Human Services Committee has recommended funding a total of Two Hundred Thousand and 00/100 Dollars (\$200,000) for eligible costs associated with Tenant Based Rental Assistance; and

WHEREAS, One Hundred Thousand and 00/100 Dollars (\$100,000) in HOME funding will be allocated from program year 2021; and

WHEREAS, One Hundred Thousand and 00/100 Dollars (\$100,000) in HOME funding will be allocated from Program Year 2024 which is contingent upon HUD's approval of the County's 2024 Annual Action Plan as well as receipt of a Program Year 2024 HOME allocation from HUD; and

WHEREAS, an Agreement has been prepared requiring compliance with HOME requirements, and said Agreement has been approved by DUPAGE PADS, INC.

NOW THEREFORE BE IT RESOLVED by the County Board that said Agreement between the County of DuPage and DUPAGE PADS, INC.; attached hereto, is hereby approved; and

BE IT FURTHER RESOLVED, that the Chair of the DuPage County Board is authorized and directed to execute said Agreement on behalf of DuPage County and the Clerk is hereby authorized and directed to attest to such execution and affix the official seal thereto; and

BE IT FURTHER RESOLVED, that the Chair of the DuPage County Board, or his designee, is authorized and directed to execute additional documents that may be required to complete the transaction on behalf of DuPage County and the Clerk is hereby authorized and directed to attest to such execution and affix the official seal thereto; and

BE IT FURTHER RESOLVED, that the Chair of the DuPage County Board is hereby authorized to approve amendments to PROJECT HM21-02b so long as such amendments further the completion of the project and are in accordance with regulations applicable to the HOME Investment Partnerships Act and the policies of DuPage County; and

BE IT FURTHER RESOLVED that the County Clerk be directed to send certified copies of this Resolution to DUPAGE PADS, INC. 601 W. Liberty Dr., Wheaton, IL 60187, and the Community Development Commission.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Greg Schwarze

<b>SECONDER:</b>	Yeena Yoo
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

15.E. [HS-R-0008-24](#)

Recommendation for Approval to Subordinate two Community Development Block Grant (CDBG) Liens with Serenity House Foundation (now known as Advance Resource Recovery Corporation), Projects CD19-07 and CD22-07, to St. Charles Bank & Trust Company (SCBT).

WHEREAS, the Illinois General Assembly has granted COUNTY authority to make all contracts and do all other acts in relation to the property and concerns of the county necessary to the exercise of its corporate powers (Illinois Compiled Statutes, Chapter 55, paragraphs 5/5-1005), and to enter into agreements for the purposes of receiving funds from the United States government under the “Housing and Community Development Act of 1974”, and other subsequent housing acts, and may disburse those funds and other county funds for community development and other housing program activities (Illinois Compiled Statutes, Chapter 55, paragraph 5/5-1093); and

WHEREAS, COUNTY has been a participating jurisdiction in the United States Department of Housing and Urban Development’s (“HUD’s”) Housing and Community Development Program since 1975, and has applied for Community Development Block Grant Funds (“CDBG”) from HUD as provided by the Housing and Community Development Act of 1974, as amended (P.L. 93-383)(“ACT”); and

WHEREAS, SERENITY HOUSE COUNSELING SERVICES, INC. (SUBGRANTEE) had made application to COUNTY through its Community Development Commission ("CDC") for a portion of COUNTY’s CDBG funds; and

WHEREAS, ADVACNE RESOURCE RECOVERY CORPORATION (AARC), Formerly Known As (FKA) SERENITY HOUSE FOUNDATION, INC., owns and operates the property identified within the application proposed for improvements, located at 891 S. Rohlwing Road, Addison, IL 60101; and

WHEREAS, SUBGRANTEE has a current lease agreement with AARC, and is currently the Lessee of the property proposed for improvements, which is used for substance abuse treatment programming, specifically, extended residential care treatment program assisting individuals recovering from substance abuse; and

WHEREAS, the COUNTY approved funding up to FIFTY-TWO THOUSAND AND 00/11 DOLLARS (\$52,000.00) in CDBG funding for rehabilitation of the Women’s Extended Residential Care (WERC) kitchen facility, located at 891 S.

Rohlwing Road, Addison, IL 60101, adopted under Resolution HHS-R-0116-19 on 03/12/2019; and

WHEREAS, the COUNTY approved funding up to FOUR HUNDRED THOUSAND AND 00/11 DOLLARS (\$400,000.00) in CDBG funding for expansion of the WERC facility, located at 891 S. Rohlwing Road, Addison, IL 60101, adopted under Resolution HHS-R-0052-22 on 02/08/2022; and

WHEREAS, the SUBGRANTEE seeks to refinance an existing mortgage, pursuant to the terms of the DuPage County Community Development Commission Policies, and has requested a subordination of the DuPage County Mortgage recorded as document number R2020-137624, along with a waiver of the “Subordination Policy - Rental Properties and Public Facilities” specifically pertaining to a fixed-rate mortgage for CDBG project CD19-07; and

WHEREAS, the SUBGRANTEE seeks to refinance an existing mortgage, pursuant to the terms of the DuPage County Community Development Commission Policies, and has requested a subordination of the DuPage County Mortgage recorded as document number R2023-017313, along with a waiver of the “Subordination Policy - Rental Properties and Public Facilities” specifically pertaining to a fixed-rate mortgage for CDBG project CD22-07; and

WHEREAS, the Community Development Executive Committee of the DuPage County Community Development Commission approved the subordination of the DuPage County Mortgages R2020-137624 and R2023-017313 along with a waiver to the “Subordination Policy - Rental Properties and Public Facilities” specifically pertaining to a fixed-rate mortgage for CDBG project numbers CD19-07 and CD22-07 on January 2, 2024; and

WHEREAS, the DuPage County Human Services Committee approved the subordination of the DuPage County Mortgages R2020-137624 and R2023-017313 on January 16, 2024; and

NOW THEREFORE BE IT RESOLVED by the County Board that said Subordination Agreement between DuPage County by and through its Community Development Commission for the benefit of Advance Resource Recovery Corporation, FKA Serenity House Foundation, Inc., and St. Charles Bank & Trust Company, herein incorporated by reference, is hereby approved; and

BE IT FURTHER RESOLVED, that the Director of Community Services is authorized and directed to execute the Subordination Agreement, and any documents necessary to effectuate the transaction, on behalf of DuPage County; and

BE IT FURTHER RESOLVED, that the Chair of the DuPage County Board is hereby authorized to approve amendments to PROJECTS CD19-07 and CD22-07 so long as such amendments further the completion of the project and are in accordance with regulations applicable to the Community Development Block Grant Program and the policies of DuPage County; and

BE IT FURTHER RESOLVED that the County Clerk be directed to send copies

of this Resolution to ADVANCE RESOURCE RECOVERY CORPORATION (AARC), Formerly Known As (FKA) SERENITY HOUSE FOUNDATION, INC., 891 S. Rohlwing Road, Addison, IL 60101; and the Community Development Commission.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Greg Schwarze
<b>SECONDER:</b>	Yeena Yoo
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

15.F. [HS-P-0011-24](#)

Awarding resolution issued to Teen Parent Connection, to provide car seats, booster seats, diapers, formula, wipes, and car seat safety training to low income residents of DuPage County, for the period of January 1, 2024 through December 31, 2024, for a Community Services Block Grant (CSBG) sub-grantee total of \$40,000. (Community Services)

WHEREAS, a sub-grantee agreement has been negotiated in accordance with County Board policy; and

WHEREAS, the Human Services Committee recommends County Board approval for the issuance of a sub-grantee agreement to Teen Parent Connection, to provide car seats, booster, seats, diapers, formula, wipes, and car seat safety training to low income residents in DuPage County, for the period January 1, 2024 through December 31, 2024, for Community Services, under the Community Services Block Grant.

NOW, THEREFORE BE IT RESOLVED that County sub-grantee agreement covering said, to provide car seats, booster, seats, diapers, formula, wipes, and car seat safety training to low income residents in DuPage County, for the period January 1, 2024 through December 31, 2024, for Community Services through the Community Services Block Grant, be, and it is hereby approved for the issuance of a sub-grantee agreement by the Procurement Division to Teen Parent Connection, 475 Taft Avenue, Glen Ellyn, IL 60188, for a total amount of \$40,000.00. Other professional services not subject to competitive bidding per 55 ILCS 5/5-1022(a). Vendor selected pursuant to DuPage County Code Section 2-353(1)(b). (Grant funded)

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Greg Schwarze
<b>SECONDER:</b>	Paula Garcia
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

<b>ABSENT:</b> Covert
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15.G. [HS-P-0012-24](#)

Awarding resolution issued to Catholic Charities to provide shelter, case management, and financial assistance to situationally homeless residents and at risk of homelessness residents of DuPage County for the period of January 1, 2024 through December 31, 2024. The Community Services Block Grant (CSBG) sub-grantee agreement also provides financial support for the Back to School Fair, for a contract total of \$65,000. (Community Services)

WHEREAS, a sub-grantee agreement has been negotiated in accordance with County Board policy; and

WHEREAS, the Human Services Committee recommends County Board approval for the issuance of a sub-grantee agreement to Catholic Charities to provide shelter, case management, and financial assistance to the situationally homeless residents and at risk of homelessness residents of DuPage County and financial support for the Back to School Fair, for the period January 1, 2024 through December 31, 2024, for Community Services, under the Community Services Block Grant.

NOW, THEREFORE BE IT RESOLVED that County sub-grantee agreement covering said, to provide shelter, case management, and financial assistance to the situationally homeless residents and at risk of homelessness residents of DuPage County for the period January 1, 2024 through December 31, 2024, for Community Services through the Community Services Block Grant, be, and it is hereby approved for the issuance of a sub-grantee agreement by the Procurement Division to Catholic Charities, 3040 Finley Road Suite 200, Downers Grove, IL 60515, for a total amount not to exceed \$65,000.00. Other professional services not subject to competitive bidding per 55 ILCS 5/5-1022(a). Vendor selected pursuant to DuPage County Code Section 2-353(1)(b). (Grant funded.)

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Greg Schwarze
<b>SECONDER:</b>	Paula Garcia
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

15.H. [24-0377](#)

Travel Request for Community Services Director to attend the NACCED CDBG Hill Briefing and Legislative Conference, and NACo Legislative Conference in Washington D.C. from February 7, 2024 through February 13, 2024. Expenses to include registration, transportation, lodging, miscellaneous expenses (parking, mileage, etc.), and per diems, for approximate total of \$3,638.50. CDBG grant funded. (Community Services)

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Greg Schwarze
<b>SECONDER:</b>	Yeena Yoo
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

## 16. JUDICIAL AND PUBLIC SAFETY - EVANS

### Committee Update

#### 16.A. [JPS-P-0005-24](#)

Recommendation for the approval of a contract purchase order to Northeast DuPage Youth and Family Services, to provide services to youths who are at risk of domestic violence and trauma, for the period of February 1, 2024 through January 31, 2025, for a contract total amount not to exceed \$36,000. Other Professional Service, not subject to competitive bidding per 55 ILCS 5/5-1022(a). Vendor selected pursuant to DuPage County Code Section 2-353(1)(b). (Probation and Court Services)

WHEREAS, an agreement has been prepared in accordance with County Board policy; and

WHEREAS, the Judicial and Public Safety Committee recommends County Board approval for the issuance of a contract to Northeast DuPage Family and Youth Services, to provide counseling to individual youths and their families when domestic battery is charged, for the period of February 1, 2024 through January 31, 2025, for Probation and Court Services.

NOW, THEREFORE BE IT RESOLVED, that said contract is to provide counseling to individual youths and their families when domestic battery is charged, for the period of February 1, 2024 through January 31, 2025 for Probation and Court Services per, not to subject to competitive bidding per 55ILCS 5/5-1022(a) be, and it is hereby approved for the issuance of a contract purchase order by the Procurement Division to Northeast DuPage Family and Youth Services, 3 Friendship Plaza, Addison, IL 60101, for a contract total amount of \$36,000.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Lucy Evans
<b>SECONDER:</b>	Dawn DeSart
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

16.B. [JPS-P-0006-24](#)

Recommendation for the approval of a contract purchase order issued to Alliance Technology Group, LLC, for the purchase of a back-up system for the virtual servers, for the Sheriff's Office, for the period of January 24, 2024 through January 23, 2025, for a contract total not to exceed \$98,446.20; per GSA contract GS-35F-303DA. (Sheriff's Office)

WHEREAS, the County of DuPage by virtue of its power set forth in the Counties Code (55 ILCS 5/1-1001 *et seq.*) is authorized to enter into this Agreement; and

WHEREAS, pursuant to the Governmental Joint Purchasing Act (30 ILCS 525/2), the County is authorized to enter into a Joint Purchasing Agreement for the purchase of a back-up system for virtual servers; and

WHEREAS, pursuant to Intergovernmental Agreement between the County of DuPage and the GSA Contract GS-35F-303DA, the County of DuPage will contract with Alliance Technology Group, LLC; and

WHEREAS, the Judicial and Public Safety Committee recommends County Board approval for the issuance of a contract to Alliance Technology Group, LLC, FOR the purchase of a back-up system for the virtual servers, for the period of January 24, 2024 through January 23, 2025, for the Sheriff's Office.

NOW, THEREFORE BE IT RESOLVED, that County contract, covering said for the purchase of a back-up system for the virtual servers, for the period of January 24, 2024 through January 23, 2025, for the Sheriff's Office, be, and it is hereby approved for issuance of a contract by the Procurement Division to Alliance Technology Group, LLC, 7010 Hi Tech Drive, Hanover, MD 21076 for a contract total amount not to exceed \$98,446.20, per contract pursuant to the GSA Contract GS-35F-303DA.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Lucy Evans
<b>SECONDER:</b>	Jim Zay
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

16.C. [JPS-P-0007-24](#)

Recommendation for the approval of a contract purchase order to Sentinel Offender Services, LLC, to provide GPS device or electronic monitoring services to juveniles and

indigent adult offenders and their victims, for the period February 1, 2024, through January 31, 2026, for a total contract amount not to exceed \$612,000; contract pursuant to the Master Agreement #: 22PSX0021– National Association of State Procurement Officers (NASPO) ValuePoint. (Probation and Court Services)

WHEREAS, a vendor has been evaluated and selected in accordance with County Board policy; and

WHEREAS, the Judicial and Public Safety Committee recommends County Board approval for the issuance of a contract to Sentinel Offender Services, LLC, to provide court ordered GPS device or Electronic Monitoring services to juveniles and indigent adult offenders and their victims, for the period of February 1, 2024 through January 31, 2026, for the DuPage County Probation and Court Services.

NOW, THEREFORE BE IT RESOLVED, that said contract is to provide court ordered GPS device or Electronic Monitoring services to juveniles and indigent adult offenders and their victims, for the period of February 1, 2024 through January 31, 2026 for the DuPage County Probation and Court Services per the Master Agreement #22PSX0021, be, and it is hereby approved for the issuance of a contract purchase order by the Procurement Division to Sentinel Offender Services, LLC, 1290 North Hancock Street, Suite 103, Anaheim, CA 92807, for a contract total amount of \$612,000.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Lucy Evans
<b>SECONDER:</b>	Paula Garcia
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

16.D. [JPS-CO-0001-24](#)

Amendment to Purchase Order 2846-0001 SERV, issued to Journal Technologies, Inc., for a case management system, for additional users due to an increase in staffing, to increase the contract total in the amount of \$38,055.01, a 4.58% increase. (Public Defender's Office)

WHEREAS, Purchase Order 2846-0001 SERV was issued to Journal Technologies, Inc. on November 14, 2017, by the Procurement Department; and

WHEREAS, the Judicial and Public Safety Committee recommends County Board approval for a Change Order to amend purchase order 2846-0001 SERV, to increase the contract total in the amount of \$38,055.01, for additional users due to an increase in staffing in the Public Defender's Office.



NOW, THEREFORE, BE IT RESOLVED, that the County Board adopts the Change Order dated January 8, 2024, increasing Contract Purchase Order 2846-0001 SERV, issued to Journal Technologies, Inc., in the amount of \$38,055.01, for additional users due an increase in staffing, resulting in an amended contract total amount of \$869,612.01.

**RESULT:** APPROVED

**MOVER:** Lucy Evans

**SECONDER:** Paula Garcia

**AYES:** Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay

**ABSENT:** Covert

## 17. LEGISLATIVE - DESART

Committee Update

### 17.A. [LEG-P-0001-24](#)

Recommendation for the approval of a County Contract to McGuireWoods Consulting LLC, to provide Consulting Services as Lobbyists representing DuPage County before the U.S. Congress and the Federal Executive Branch for DuPage County's Division of Transportation, Public Works, Stormwater Management and all other County departments and agencies, for the period of February 1, 2024 through January 31, 2025, for County Board, for a contract total amount not to exceed \$96,000. Other Professional Service not subject to competitive bidding per 55 ILCS 5/5-1022(a). Vendor selected pursuant to DuPage County Code Section 2-353(1)(b).

WHEREAS, an agreement has been negotiated in accordance with County Board policy; and

WHEREAS, the Legislative Committee recommends County Board approval for the issuance of a Contract to McGuireWoods Consulting, LLC, to provide Consulting Services as Lobbyists for projects before the U.S. Congress and the Federal Executive Branch, for DuPage County's Division of Transportation, Public Works, Stormwater Management and all other County Departments and agencies for the period February 1, 2024 through January 31, 2025, for the DuPage County Board.

NOW, THEREFORE, BE IT RESOLVED that County Contract covering said, to provide Consulting Services as Lobbyists for projects before the U.S. Congress and the Federal Executive Branch, for DuPage County's Division of Transportation, Public Works and Stormwater Management, for the period February 1, 2024 through January 31, 2025, for the DuPage County Board, be, and it is hereby approved for issuance of a Contract by the Procurement Division to McGuireWoods Consulting, LLC, 77 W. Wacker Drive, Suite 4300, Chicago, IL 60610, for a contract total not to exceed \$96,000.00.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Dawn DeSart
<b>SECONDER:</b>	Liz Chaplin
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

**18. PUBLIC WORKS - GARCIA**

Committee Update

**19. STORMWATER - ZAY**

Committee Update

**20. TECHNOLOGY - YOO**

Committee Update

20.A. [TE-R-0001-24](#)

Termination of an Intergovernmental Agreement between the County of DuPage and the Village of Lisle to permit County staff to compile geospatial data from the Village of Lisle, update existing geospatial data, and support the Village of Lisle's current ESRI software applications.

WHEREAS, in 2018, the DuPage County Board approved TE-R-0056-18, authorizing the County of DuPage to enter into an intergovernmental agreement with the Village of Lisle to provide various GIS services to the Village; and

WHEREAS, from time to time, the County and the Village have amended the fees and costs associated with this intergovernmental agreement; and

WHEREAS, the intergovernmental agreement between the County of DuPage and the Village of Lisle requires 30 days written notice to terminate; and

WHEREAS, the County of DuPage no longer has the employee resources available to support the projects of the Village of Lisle as those employee resources are required to complete various projects for County departments and entities.

NOW, THEREFORE, BE IT RESOLVED, that the DuPage County Board hereby provides notice of its intent to terminate the Intergovernmental Agreement between the County of DuPage and the Village of Lisle for provision of GIS services; and

BE IT FURTHER RESOLVED, that the DuPage County Clerk is directed to mail a certified copy of this resolution to the Village of Lisle, Attn: Mayor Christopher Pecak,

c/o Village Clerk, 925 Burlington Avenue, Lisle, IL 60532.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Yeena Yoo
<b>SECONDER:</b>	Michael Childress
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

20.B. [TE-R-0002-24](#)

Recommendation for the approval of an amendment to an intergovernmental agreement between the Lisle-Woodridge Fire Protection District and the County of DuPage for shared Geographical Information Systems (GIS) services, to include certain shared service information contained in a proposed scope of work not included under the 2018 IGA.

WHEREAS, on May 8, 2018, the DuPage County Board approved TE-R-0180-18, which authorized the execution of an intergovernmental agreement (IGA) between the Lisle-Woodridge Fire Protection District (“District”) and the County of DuPage (“County”); and

WHEREAS, the County and the District wish to amend the IGA to include certain share service information contained in a proposed scope of work, but which is not included under the 2018 IGA; and

WHEREAS, the County wishes to amend the IGA in such a fashion as to provide discretion to provide additional services, on an as needed basis, in the future; and

NOW, THEREFORE, BE IT RESOLVED, that the DuPage County Board accepts and approves the amended Intergovernmental Agreement attached hereto as Exhibit A; and

BE IT FURTHER RESOLVED, that the DuPage County Chair is authorized and directed to execute the amended Intergovernmental Agreement attached hereto as Exhibit A on behalf of the County of DuPage; and

BE IT FURTHER RESOLVED, that the DuPage County Clerk be directed to transmit certified copies of this resolution and the attached IGA to the Lisle-Woodridge Fire Protection District, Attn: Chief Krestan, 1005 School Street, Lisle, IL 60532.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Yeena Yoo

<b>SECONDER:</b>	Paula Garcia
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

## 21. TRANSPORTATION - OZOG

### Committee Update

#### 21.A. [DT-R-0005-24](#)

Intergovernmental Agreement between the County of DuPage and Village of Hanover Park to extend road resurfacing beyond County Right-of-Way on multiple side streets along Army Trail Road, within the Village. County to be reimbursed \$4,133.00.

WHEREAS, the County of DuPage (hereinafter COUNTY) and the Village of Hanover Park (hereinafter VILLAGE) are public agencies within the meaning of Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*; and

WHEREAS, Article VII, Section 10, of the 1970 Constitution of the State of Illinois encourages and provides for units of local government to contract and otherwise associate with each other to exercise, combine or transfer any power or function; and

WHEREAS, the COUNTY by virtue of its power set forth in the Counties Code, 55 ILCS 5/5-1001 *et seq.*, and the VILLAGE by virtue of its power set forth in the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*, are authorized to enter into agreements and contracts; and

WHEREAS, the COUNTY has awarded a contract for the 2023 Pavement Maintenance (North) Program, (hereinafter “PROJECT”); and

WHEREAS, as part of the PROJECT, Army Trail Road will be resurfaced from County Farm Road to 84th Court; and

WHEREAS, the VILLAGE has requested that the COUNTY extend road resurfacing beyond COUNTY Right-of-Way on multiple side streets along Army Trail Road within the VILLAGE, (hereinafter referred to as “WORK”); and

WHEREAS, an Intergovernmental Agreement has been prepared and is attached hereto that outlines the rights and responsibilities of the COUNTY and the VILLAGE related to the WORK; and

NOW, THEREFORE, BE IT RESOLVED that the Chair is hereby authorized and directed to execute the attached Agreement, on behalf of the COUNTY and the DuPage County Clerk is authorized to attest thereto; and

BE IT FURTHER RESOLVED that one (1) certified original of this Resolution and Intergovernmental Agreement be sent to the VILLAGE, by and through the Division of Transportation.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Mary Ozog
<b>SECONDER:</b>	Dawn DeSart
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

21.B. [DT-R-0006-24](#)

Local Public Agency Agreement for Federal Participation between the County of DuPage and the Illinois Department of Transportation, for improvements along CH 21/Geneva Road over the West Branch of the DuPage River, Section 18-00206-10-BR, for an estimated County cost of \$1,552,107.

WHEREAS, the County of DuPage (hereinafter referred to as COUNTY) and the State of Illinois Department of Transportation (hereinafter referred to as STATE), in order to facilitate the free flow of traffic and to ensure the safety of the motoring public desire to improve CH 21/Geneva Road over the West Branch of the DuPage River, Section 18-00206-10-BR (hereinafter referred to as the IMPROVEMENT); and

WHEREAS, the COUNTY and the STATE desire to cooperate in an effort to construct the IMPROVEMENT because of the immediate benefit of the IMPROVEMENT to the people of the State of Illinois and to the residents of DuPage County; and

WHEREAS, a Joint Funding Agreement for Construction Work for Federal Participation, (hereinafter referred to as AGREEMENT) has been prepared and attached hereto, which outlines the financial participation of the parties related to construction of the IMPROVEMENT; and

WHEREAS, the COUNTY will be the lead agency for construction engineering and will enter into a separate agreement for said construction engineering services, subject to reimbursement from the STATE as outlined in the attached agreement; and

WHEREAS, the STATE will be the awarding authority for the construction of the improvement, with an estimated total cost of construction of \$7,618,107.00, of which up to \$6,066,000.00 to be funded by the STATE, resulting in an estimated cost to the COUNTY of \$1,552,107.00; and

WHEREAS, sufficient funds have been appropriated by the COUNTY to pay for its

share of the construction cost of the IMPROVEMENT; and

WHEREAS, said AGREEMENT must be executed before construction of the IMPROVEMENT can begin.

NOW, THEREFORE, BE IT RESOLVED that the Chair of the DuPage County Board is hereby authorized and directed to execute the attached Agreement on behalf of the COUNTY and the DuPage County Clerk is hereby authorized to attest thereto; and

BE IT FURTHER RESOLVED that the County Clerk transmit a copy of this Resolution and any associated Illinois Department of Transportation BLR form appropriating the necessary motor fuel tax (bond) funds to pay for the improvement to the State of Illinois Department of Transportation, by and through the Division of Transportation.

BE IT FURTHER RESOLVED, that six (6) original copies of the Resolution and AGREEMENT be sent to the STATE, by and through the DuPage County Division of Transportation.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Mary Ozog
<b>SECONDER:</b>	Patty Gustin
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

21.C. [DT-R-0007-24](#)

Recommendation for approval of an agreement with Libertyville Township, for the purchase of wetland bank credits for the replacement of the bridge carrying Geneva Road over the West Branch of the DuPage River, in the amount of \$28,470.

WHEREAS, the County of DuPage ("County") under authority granted by the Illinois General Assembly, (55 ILCS 5/5-1062 *et seq.* and 5/5-15001, *et seq.*), is authorized to acquire land, construct improvements and enter into contracts for the purpose of construction, repair, and maintenance of County and/or township roads, bridges and appurtenances; and

WHEREAS, pursuant to the above authority, the County, through the Division of Transportation, is proposing to improve the Geneva Road Bridge Over the West Branch DuPage River ("Project"); and

WHEREAS, due to the Project, 0.146 acres of wetlands will be impacted, requiring 0.219 acres of wetland mitigation; and

WHEREAS, in order for the Project to begin the County will need to obtain a permit from the United States Army Corps of Engineers (“USACE”); and

WHEREAS, USACE requires, as a condition of issuing its permit, that the County provide for the mitigation of impacted wetlands; and

WHEREAS, the County had identified the Donnelley Prairies and Oaks Wetland Mitigation Bank (“Bank”) as the USACOE- certified wetland bank closest to the Project; and

WHEREAS, the County will purchase 0.219 acres of wetland mitigation credits from the Bank’s owner/operator, Libertyville Township, in the amount of Twenty-Eight Thousand Four Hundred Seventy Dollars and No Cents (\$28,470.00), in accordance with the terms of the Agreement attached hereto.

NOW, THEREFORE BE IT RESOLVED that the County Board hereby approves and accepts the attached Agreement with Libertyville Township, providing for the County’s purchase of 0.219 acres of wetland mitigation credits from the Bank.

NOW, THEREFORE BE IT RESOLVED that the County Board hereby approves and accepts the attached Agreement with Libertyville Township, providing for the County’s purchase of 0.219 acres of wetland mitigation credits from the Bank, in an amount of Twenty-Eight Thousand Four Hundred Seventy Dollars and No Cents (\$28,470.00); and

BE IT FURTHER RESOLVED that the DuPage County Chair is hereby authorized to sign and execute the attached Agreement on behalf of the County, and the DuPage County Clerk is hereby authorized to attest thereto; and

BE IT FURTHER RESOLVED that one (1) certified original of this Resolution and the Agreement be sent to the Libertyville Township, 359 Merrill Court, Libertyville, Illinois 60048, by and through the Division of Transportation.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Mary Ozog
<b>SECONDER:</b>	Yeena Yoo

<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

21.D. [DT-P-0003-24](#)

Recommendation for the approval of a contract to Alfred Benesch & Company, for Professional Construction Engineering Services for improvements at the Geneva Road bridge over the West Branch of the DuPage River, Section 18-00206-10-BR, for the period of January 23, 2024 through November 30, 2026, for a contract total not to exceed \$863,321. Professional Services (Architects, Engineers and Land Surveyors) vetted through a qualification- based selection process in compliance with the Illinois Local Government Professional Services Selection Act, 50 ILCS 510/0.01 et seq.

WHEREAS, the County of DuPage (hereinafter referred to as COUNTY) by virtue of its power set forth in “Counties Code” (55 ILCS 5/5-1001 *et. seq.*) and “Illinois Highway Code” (605 ILCS 5/5-101 *et. seq.*) is authorized to enter into this agreement; and

WHEREAS, the COUNTY requires Professional Construction Engineering Services for improvements at Geneva Road bridge over the West Branch of the DuPage River, Section 18-00206-10-BR; and

WHEREAS, Alfred Benesch & Company (hereinafter CONSULTANT) has experience and expertise in this area and is in the business of providing such Professional Construction Engineering Services, and is willing to perform the required services for an amount not to exceed \$863,321.00; and

WHEREAS, the COUNTY has selected the CONSULTANT in accordance with the Professional Services Selection Process found in Section 2-353(1)(a) of the DuPage County Purchasing Ordinance; and

WHEREAS, the Transportation Committee has reviewed and recommends approval of the attached Agreement at the specified amount, for a contract period of January 23,2024 through November 30, 2026.

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached Agreement between the County of DuPage and Alfred Benesch & Company be hereby accepted and approved for a contract total not to exceed \$863,321.00 and that the Chair of the DuPage County Board is hereby authorized and directed to execute the attached Agreement on behalf of the COUNTY and the DuPage County Clerk is hereby authorized to attest thereto; and

BE IT FURTHER RESOLVED that the County Clerk transmit a copy of this Resolution and any associated Illinois Department of Transportation BLR form appropriating the necessary motor fuel tax (bond) funds to pay for the improvement to the State of Illinois Department of Transportation, by and through the Division of Transportation.



BE IT FURTHER RESOLVED, that seven (7) original copies of the Resolution and AGREEMENT be sent to the STATE, by and through the DuPage County Division of Transportation.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Mary Ozog
<b>SECONDER:</b>	Paula Garcia
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

21.E. [DT-P-0004-24](#)

Recommendation for approval of a contract to VariTech Industries, to furnish and deliver four (4) 12,500-gallon Deicer Storage Tanks, as needed for the Division of Transportation, from January 24, 2024 through November 30, 2024; for a contract not to exceed \$92,376.56. Contract pursuant to the Intergovernmental Cooperation Act (Sourcewell contract #031423).

WHEREAS, pursuant to Intergovernmental Agreement between the County of DuPage and National Intergovernmental Purchasing Alliance (Sourcewell), the County of DuPage will contract with VariTech Industries; and

WHEREAS, the Transportation Committee recommends County Board approval for the issuance of a contract to VariTech Industries, from January 24, 2024 through November 30, 2024, to furnish and deliver four (4) 12,500-gallon Deicer Storage Tanks for the Division of Transportation.

NOW, THEREFORE, BE IT RESOLVED that said contract to furnish and deliver four (4) 12,500-gallon Deicer Storage Tanks for the Division of Transportation, is hereby approved for issuance to VariTech Industries, 501 E. Cliff Road, Burnsville, MN, 55337, for a contract total not to exceed \$92,376.56. Per Sourcewell Contract #031423.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Mary Ozog
<b>SECONDER:</b>	Yeena Yoo
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

21.F. [24-0337](#)

DT-P-0197A-22 - Amendment to Resolution DT-P-0197-22, issued to Rush Truck Centers of Illinois, Inc., for the purchase of eight (8) plow trucks with snow and ice equipment for the Division of Transportation, to increase the contract by \$29,152, resulting in an amended contract total amount of \$2,376,714, an increase of 1.24%.

WHEREAS, the DuPage County Board heretofore adopted Resolution DT-P-0197-22 on June 28th, 2022, issued to Rush Truck Centers of Illinois, Inc., to furnish and deliver eight (8) plow trucks with snow and ice equipment for the Division of Transportation; and

WHEREAS, the current cost of said contract to the County of DuPage, by and through the Division of Transportation is \$2,347,562.00; and

WHEREAS, an increase in the amount of \$29,152.00 is necessary to process the revised build order; and

WHEREAS, the circumstances that necessitate the change in costs were not reasonably foreseeable at the time the contract was signed, due to the model year trucks no longer being built, therefore the new 2025 models will need to be ordered in place; and

WHEREAS, an adjustment in funding is in the best interest of the County as is authorized by law.

NOW, THEREFORE, BE IT RESOLVED that Resolution DT-P-0197-22 is amended to reflect a cost of \$2,376,714.00 instead of and in place of a costs of \$2,347,562.00, an increase of \$29,152.00, +1.24%.

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Mary Ozog
<b>SECONDER:</b>	Liz Chaplin
<b>AYES:</b>	Chaplin, Childress, Cronin Cahill, DeSart, Eckhoff, Evans, Galassi, Garcia, Gustin, Krajewski, LaPlante, Ozog, Rutledge, Schwarze, Tornatore, Yoo, and Zay
<b>ABSENT:</b>	Covert

**22. DISCUSSION**22.A. [24-0400](#)

PA99-0646 Pension Obligation Projections Required by the Local Government Wage Increase Transparency Act

<b>RESULT:</b>	NO ACTION REQUIRED
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**23. OLD BUSINESS**

The following members made comment:

Chair Conroy: County Board room renovations

Rutledge: NACO Legislative Conference

DeSart: DuPage Animal Friends Gala

Chaplin: Recognition of Homeland Security director Craig Dieckman, migrants, District 2 municipalities meeting

**24. NEW BUSINESS**

The following members made comment:

DeSart: DuPage Housing Authority, affordable housing

**25. EXECUTIVE SESSION**

There was no Executive Session.

25.A. Pursuant to Open Meetings Act 5 ILCS 120/2 (c) (2) - Collective Negotiating Matters

25.B. Pursuant to Open Meetings Act 5 ILCS 120/2 (c) (11) - Litigation

**26. MEETING ADJOURNED**

With no further business, the meeting was adjourned at 11:27 AM.

26.A. This meeting is adjourned to Tuesday, February 13, 2024, at 10:00 a.m.