



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: November 19, 2024

RE: **ZONING-24-000059 Construction Solutions, LLC.
(Downers Grove/District 3)**

DuPage County Board: November 26, 2024: *(If the County Board seeks to approve the zoning relief it will require a $\frac{3}{4}$ majority vote {14 votes} to approve based on the recommendation to deny by the Zoning Board of Appeals)*

Development Committee: November 19, 2024: The Motion to Approve failed relative to the following zoning relief:

1. Variation to reduce the lot size for two new lots from required 100,000 sq. ft. to approximately 16,556 sq. ft. for Lot 1 and approximately 17,788 sq. ft. for Lot 2.
2. Variation to reduce the lot width for two new lots from required 165 feet to approximately 140 feet for Lot 1 and 150 feet for Lot 2.

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

Zoning Board of Appeals Meeting: October 3, 2024: The Zoning Board of Appeals recommended to deny the following zoning relief:

1. Variation to reduce the lot size for two new lots from required 100,000 sq. ft. to approximately 16,556 sq. ft. for Lot 1 and approximately 17,788 sq. ft. for Lot 2.
2. Variation to reduce the lot width for two new lots from required 165 feet to approximately 140 feet for Lot 1 and 150 feet for Lot 2.

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

FINDINGS OF FACT:

1. That petitioner testified that the subject zoning relief is for Variations to subdivide his property into two (2) lots serviced with sewer and well in the R-1 Single Family Zoning District.
2. That petitioner testified that they have a unique situation on the subject lot and in the subject neighborhood as the trend of development is towards smaller lots, less than what is required in the R-1 Zoning District.
3. That petitioner testified that before they purchased the subject property and before their closing, the property experienced a storm that caused the existing single-family home to be destroyed.
 - a. In addition, that petitioner testified that the existing home would need to be demolished and rebuilt.
 - b. That at the public hearing, the petitioner withdrew the third request for a Variation to reduce the interior side setback for an existing house on proposed Lot 2 from required 20 feet to approximately 10.25 feet, as he testified that the existing house would be demolished and would therefore not require a setback Variation.
4. That petitioner testified that the hardship for the subject property is the cost of construction to build a new house and that he would like to build two houses on the subject property to offset the cost of construction.
5. That petitioner testified that there are several properties similar in size throughout the surrounding area.
6. That the Zoning Board of Appeals finds that petitioner has not demonstrated or provided sufficient evidence to support the proposed Variations, and that petitioner has not demonstrated or provided sufficient evidence in relation to a practical difficulty or particular hardship with the land.
 - a. Furthermore, that the Zoning Board of Appeals finds that petitioner testified to a financial hardship of building house and that the Zoning Board of Appeals finds that a financial/self-made hardship does not qualify as practical difficulty or particular hardship for a Variation.

STANDARDS FOR VARIATIONS:

1. That the Zoning Board of Appeals finds that petitioner **has not demonstrated** that the granting of the Variation is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's comprehensive plan for development.
2. That the Zoning Board of Appeals finds that petitioner **has not demonstrated** the granting of the Variation will not:

- a. Impair an adequate supply of light and air to the adjacent property as petitioner **has not demonstrated** that the proposed two (2) lot subdivision 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** that the proposed two (2) lot subdivision will not increase the hazard from fire or other dangers to said property.
- c. Diminish the value of land and buildings throughout the County as petitioner **has not demonstrated** that the proposed two (2) lot subdivision will not diminish the value of land and buildings throughout the County.
- d. Unduly increase traffic congestion in the public streets and highways as petitioner **has not demonstrated** that the proposed two (2) lot subdivision will not unduly increase traffic congestion in the public streets and highways.
- e. Increase the potential for flood damages to adjacent property as petitioner **has not demonstrated** that the proposed two (2) lot subdivision will not increase the potential for flood damages to adjacent property.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has not demonstrated** that the proposed two (2) lot subdivision will not incur additional public expense for flood protection, rescue, or relief.
- g. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County as petitioner **has not demonstrated** that the proposed two (2) lot subdivision will not impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County.

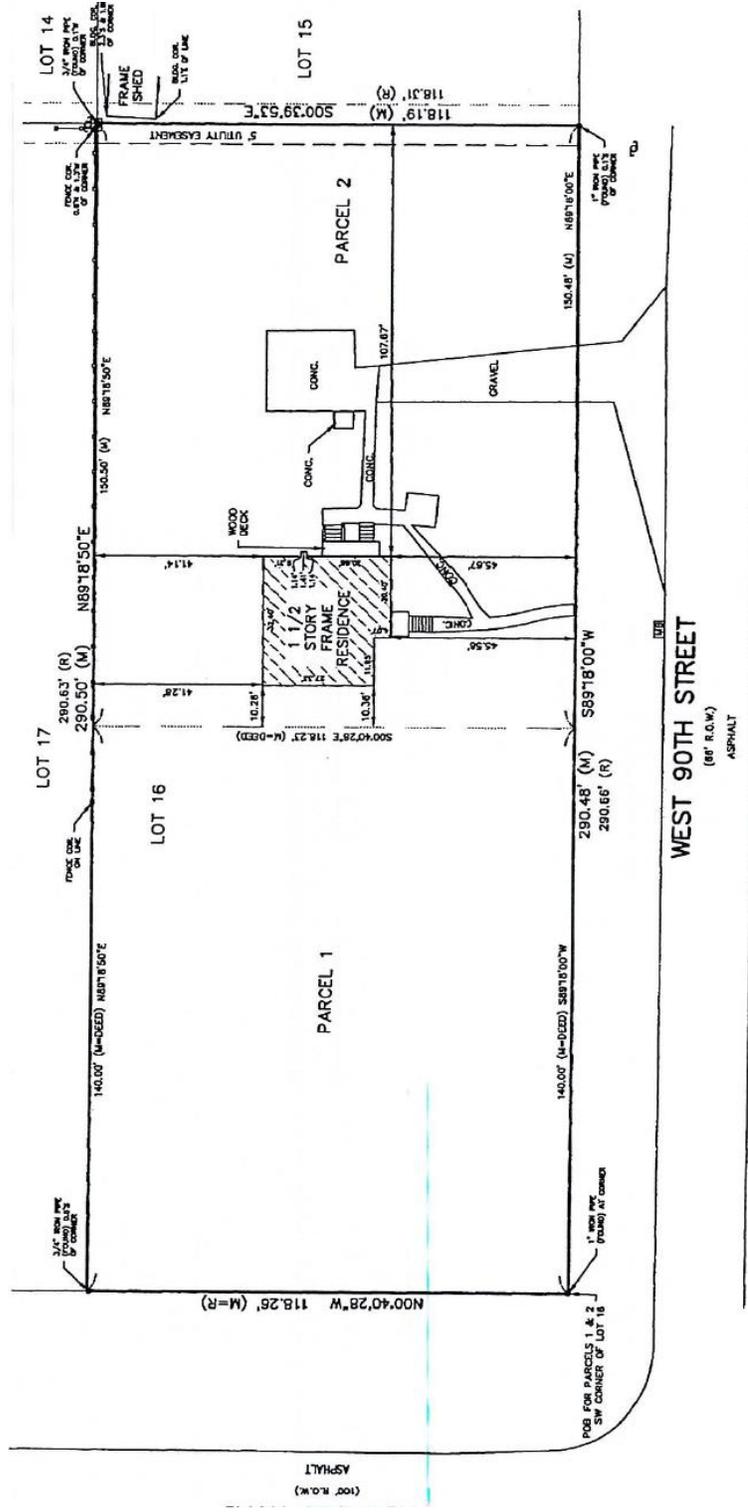
PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-24-000059 Construction Solutions, LLC.
ZONING REQUEST	<ol style="list-style-type: none"> 1. Variation to reduce the lot size for two new lots from required 100,000 sq. ft. to approximately 16,556 sq. ft. for Lot 1 and approximately 17,788 sq. ft. for Lot 2. 2. Variation to reduce the lot width for two new lots from required 165 feet to approximately 140 feet for Lot 1 and 150 feet for Lot 2.
OWNER	CONSTRUCTION SOLUTIONS, LLC., 9066 WILLOW RIDGE DR., WILLOW SPRINGS, IL 60480 / CONSTRUCTION SOLUTIONS, LLC., 15W770 90TH ST., BURR RIDGE, IL 60527 / AGENT: PATRICK SMITH, 5116 FOREST AVENUE, DOWNERS GROVE, IL 60515
ADDRESS/LOCATION	15W770 90TH ST., BURR RIDGE, IL 60527
PIN	10-01-101-006
TWSP./CTY. BD. DIST.	DOWNERS GROVE DISTRICT 3
ZONING/LUP	R-1 SF RES 0-5 DU AC
AREA	0.79 ACRES (34,412 SQ. FT.)
UTILITIES	WELL/SEWER
PUBLICATION DATE	Daily Herald: AUGUST 13, 2024
PUBLIC HEARING	THURSDAY, AUGUST 29, 2024; CONTINUED TO THURSDAY, SEPTEMBER 27, 2024
ADDITIONAL INFORMATION:	
Building:	No Objections.
DUDOT:	Our office has no jurisdiction in this matter.
Health:	Objects. "Health records indicate the septic field serving the current home is located on proposed parcel 1. Per DuPage County Septic Ordinance the septic field must be on the same lot as the building it services."
Stormwater:	(See attached documentation)
Public Works:	"DPC PW owns the sewer main in the ROW on the East side of Madison St and the South side of 90 th St. The current home is connected to our sewer on 90 th St. We have no issues with the proposed changes. If the future home on the new west lot needs to connect to sewer, it is available, they will be required to apply for a sewer permit and submit plans. They can contact us at 630-407-6801 if they have any questions."
EXTERNAL:	
Village of Burr Ridge:	(See attached documentation)
Village of Willowbrook:	<i>No Comments Received.</i>
City of Darien:	<i>No Comments Received.</i>
Downers Grove Township:	<i>No Comments Received.</i>
Township Highway:	No Objections with the concept of the petition. Additional information may be required at time of permit application.

Tri-State Fire Dist.:	No Objections.
Sch. Dist. 180:	No Objections.
Sch. Dist. 86:	No Objections.
Forest Preserve:	“The Forest Preserve District of DuPage County has reviewed the information provided by the County of DuPage and does not have any comments. Thank you.”

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-1 SF RES	HOUSE	0-5 DU AC
North	R-1 SF RES	HOUSE	0-5 DU AC
South	90 TH STREET AND BEYOND R-1 SF RES	HOUSE	0-5 DU AC
East	R-1 SF RES	HOUSE	0-5 DU AC
West	MADISON STREET AND BEYOND R-1 SF RES	HOUSE	0-5 DU AC







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DU PAGE COUNTY ZONING BOARD OF APPEALS Zoning Petition ZONING-24-000059 Construction Solutions, LLC.

Please review the information herein and return with your comments to:
Jessica Infelise, DuPage County Building and Zoning Department, 421 North County Farm
Road, Wheaton, Illinois 60187; or via email at Jessica.Infelise@dupagecounty.gov or via
facsimile at 630-407-6702 by **August 28, 2024**.

COMMENT SECTION:
<input type="checkbox"/> : OUR OFFICE HAS NO JURISDICTION IN THIS MATTER
<input type="checkbox"/> : NO OBJECTION/CONCERNS WITH THE PETITION
<input checked="" type="checkbox"/> : NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION. ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION
<input type="checkbox"/> : I OBJECT/ HAVE CONCERNS WITH THE PETITION.
COMMENTS: The face of the plat should contain language similar to the following: "This property was subdivided on [date]. At the time of subdivision, the Post Construction Best Management Practice (PCBMP) and stormwater detention thresholds for the original parcel were subsequently subdivided among the newly created parcels. The threshold distribution ratio for each of the new parcels shall be calculated as the area of the new parcel divided by the area of the original parcel. This threshold distribution ratio shall be multiplied by the regulatory thresholds in effect at the time of any new development. If a PCBMP is required pursuant to the DuPage County Countywide Stormwater and Floodplain Ordinance, the property owner shall be obligated to implement the required PCBMP directly on the property and shall not have the option to satisfy such requirement through payment of a fee-in-lieu, unless such implementation is deemed impractical or is not in accordance with the ordinance at the time of submittal(s). . Please check with your local permitting authority regarding all stormwater management requirements." Additionally, site-specific runoff storage (detention) may be required to compensate for the loss of depressional storage caused by development activities, ensuring that there are no drainage impacts on neighboring properties.
SIGNATURE: [REDACTED] DATE: 8/20/24
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT: DPC Stormwater Management
GENERAL ZONING CASE INFORMATION



August 23, 2024

Jessica Infelise
DuPage County Building and Zoning Department
421 North County Farm Rd.
Wheaton, IL 60187

Via email to jessica.infelise@dupagecounty.gov

Re: Zoning Petition ZONING-24-000059

Dear Ms. Infelise,

The Village of Burr Ridge is in receipt of notification of ZONING-24-000059, a request by Construction Solutions LLC and Patrick Smith for the property identified with address 15W770 90th Street, PIN 10-01-101-006. The Village limits are located directly to the south across 90th St., two parcels away to the north, and on the eastern side of Vine St. This is a request for three variations for lot size, lot width, and an interior side yard setback to divide the property. The Village's Plan Commission/Zoning Board of Appeals intends to formally review the matter at their September 16, 2024 meeting which is the next available meeting date. The Village hereby requests that the matter be continued until after September 16, 2024 to permit time to submit official comment.

Please be advised that at their July 15, 2024 meeting, the Plan Commission informally commented on ZONING-24-00041, the previous version of this case which concerned the same requests. The Plan Commission noted that the lot sizes were out of character with the other lots within Urban's Oakdale Manor, the lots do not meet the minimum lot size requirement for the Village's smallest residential zoning district (R-3), the lot sizes do not comply with the Village's Comprehensive Plan recommendation, and the requests do not meet the standards for variations.

Should you have any questions, please do not hesitate to contact me directly at jfarrell@burr-ridge.gov or (630) 654-8181 x 6100.

Sincerely,



Janine Farrell, AICP
Community Development Director



DUPAGE COUNTY

Building Division

Zoning & Planning Division

Environmental Division

BUILDING & ZONING DEPARTMENT

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

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DU PAGE COUNTY ZONING BOARD OF APPEALS Zoning Petition ZONING-24-000059 Construction Solutions, LLC.

Please review the information herein and return with your comments to:

Jessica Infelise, DuPage County Building and Zoning Department, 421 North County Farm Road, Wheaton, Illinois 60187; or via email at Jessica.Infelise@dupagecounty.gov or via facsimile at 630-407-6702 by August 28, 2024.

COMMENT SECTION:	
<input type="checkbox"/> : OUR OFFICE HAS NO JURISDICTION IN THIS MATTER	
<input type="checkbox"/> : NO OBJECTION/CONCERNS WITH THE PETITION	
<input type="checkbox"/> : NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION.	
ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION	
<input checked="" type="checkbox"/> : I OBJECT/HAVE CONCERNS WITH THE PETITION.	
COMMENTS: Health records indicate the septic field serving the current home is located on proposed parcel 1. Per DuPage County Septic Ordinance the septic field must be on the same lot as the building it services.	
SIGNATURE: [REDACTED]	DATE: 8-28-24
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT: Health	
GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-24-000059 Construction Solutions, LLC.
ZONING REQUEST	1. Variation to reduce the lot size for two new lots from required 100,000 sq. ft. to approximately 16,556 sq. ft. for Lot 1 and approximately 17,788 sq. ft. for Lot 2. 2. Variation to reduce the lot width for two new lots from required 165 feet to approximately 140 feet for Lot 1 and 150 feet for Lot 2. 3. Variation to reduce the interior side setback for an existing house on proposed Lot 2 from required 20 feet to approximately 10.25 feet.
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TWSP./CTY. BD. DIST.	DOWNERS GROVE DISTRICT 3
ZONING/LUP	R-1 SF RES 0-5 DU AC
AREA	0.79 ACRES (34,412 SQ. FT.)
UTILITIES	WELL/SEPTIC
PUBLICATION DATE	Daily Herald: AUGUST 13, 2024
PUBLIC HEARING	THURSDAY, AUGUST 29, 2024

1



September 23, 2024

Jessica Infelise
DuPage County Building and Zoning Department
421 North County Farm Rd.
Wheaton, IL 60187

Via email to jessica.infelise@dupagecounty.gov

Re: Zoning Petition ZONING-24-000059

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The Plan Commission expressed several concerns related to the request for three variations. The primary issues raised pertain to the following:

- **Lot sizes:** The Plan Commission raised concerns about the proposed lot sizes, noting that they do not meet the minimum lot area requirement for the Village's smallest residential zoning district, R-3, which requires a minimum of 20,000 square feet.
- **Compatibility with Surrounding Zoning and Development:** The subject site is located in close proximity to the Burr Ridge limits and near the Urban's Oakdale Manor Subdivision. The Plan Commission noted that the lot sizes were out of character with the other lots within Urban's Oakdale Manor. Within Urban's Oakdale Manor, Village parcels are zoned R-1 and R-2B which requires a minimum of 5 acres and 30,000 square feet. The R-1 parcels were annexed in as such and never rezoned.
- **Compliance with the Comprehensive Plan:** The Plan Commission expressed concern that the proposed lot sizes do not align with the Village's Comprehensive Plan, which recommends residential developments have a minimum lot size of 30,000 square feet. The subject parcel (undivided) and most of parcels within Urban's Oakdale Manor are at least 34,000 square feet.
- **Standards for a Variation:** The Plan Commission noted that the proposed variation requests do not satisfy the established standards for granting a variation. These standards require that the variation be supported by unique circumstances or challenges specific to the property and not commonly found in other properties within the same zoning district.

Should you have any questions, please do not hesitate to contact me directly at jfarrell@burr-ridge.gov or (630) 654-8181 x 6100.

Sincerely,



Janine Farrell, AICP
Community Development Director

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