



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: June 16, 2026

RE: **ZONING-26-000011 Elliott (Bloomingdale/District 1)**

DuPage County Board: June 23, 2026:

Development Committee: June 16, 2026: The DuPage County Development Committee recommended to approve the following zoning relief:

Conditional Use to allow an existing pool and pool equipment to remain less than 10 feet from the rear property line (approximately 1 foot) where the pool has existed for at least 5 years.

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-26-000011 Elliott** dated May 6, 2026.
2. That the Conditional Use zoning relief shall expire after eighteen (18) months 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 (Motion to Approve): 5 Ayes, 0 Nays, 1 Absent

Zoning Hearing Officer: May 20, 2026: The Zoning Hearing Office recommended to approve the following zoning relief:

Conditional Use to allow an existing pool and pool equipment to remain less than 10 feet from the rear property line (approximately 1 foot) where the pool has existed for at least 5 years.

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-26-00011 Elliott** dated May 6, 2026.
2. That the Conditional Use zoning relief shall expire after eighteen (18) months 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

FINDINGS OF FACT:

- A. That petitioner testified that the subject zoning relief is for a Conditional Use to allow an existing pool and pool equipment to remain less than 10 feet from the rear property line (approximately 1 foot) where the pool has existed for at least 5 years.
- B. That petitioner testified that they purchased the subject property in 1993 and installed an above-ground pool on the property approximately thirty (30) years ago.
- C. That petitioner testified that they are unable to move the subject above-ground pool as in doing so would destroy the pool in the process.
- D. That petitioner testified that the pool is older and has very limited use now that their children have grown.

- E. That the Zoning Hearing Officer finds that petitioner has presented sufficient evidence to satisfy the Standards for a Conditional Use to allow an existing pool and pool equipment to remain less than 10 feet from the rear property line (approximately 1 foot) where the pool has existed for at least 5 years.
- F. That the Zoning Hearing Officer further finds that the existing pool and pool equipment do not adversely impact adjacent properties or roadways, do not negatively affect drainage patterns in the area, and do not impede adequate light or ventilation to the subject property or neighboring properties.
- G. In addition, the Zoning Hearing Officer finds that approval of the Conditional Use for eighteen (18) months allows the subject pool to be used for two (2) additional seasons as petitioner testified and concurred that the pool is older and has very limited use currently.

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 existing above-ground pool and pool equipment does not impact 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 the existing above-ground pool and pool equipment was installed thirty (30) years ago and has been maintained for thirty (30) years with no hazards.
 - c. Diminish the value of land and buildings throughout the County as petitioner has demonstrated that the existing above-ground pool and pool equipment has existed for thirty (30) years and does 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 existing above-ground pool and pool equipment is located in the rear yard and does not increase or impact traffic congestion.
 - e. Increase the potential for flood damages to adjacent property as petitioner has demonstrated that the existing above-ground pool and pool equipment has existed for thirty (30) years and 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 demonstrated that the existing above-ground pool and pool equipment does 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 existing above-ground pool and pool equipment has existing for thirty (30) years and does not impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County.

GENERAL ZONING CASE INFORMATION

CASE #/PETITIONER: ZONING-26-000011 Elliott

ZONING REQUEST: Conditional Use to allow an existing pool and pool equipment to remain less than 10 feet from the rear property line (approximately 1 foot) where the pool has existed for at least 5 years.

OWNER: JAMES & JULIE ELLIOTT, 5N359 FAIRWAY LANE, ITASCA, IL 60143

ADDRESS/LOCATION: 5N359 FAIRWAY LANE, ITASCA, IL 60143

PIN: 02-13-401-005

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

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

AREA: 0.33 ACRES (14,375 SQ. FT.)

UTILITIES: WATER / SEWER

PUBLICATION DATE: DAILY HERALD: APRIL 21, 2026

PUBLIC HEARING: WEDNESDAY, MAY 6, 2026

ADDITIONAL INFORMATION:

Building: No objection or concerns with the concept of the petition. Additional information may be required at time of permit application.

- “Additional information may be required at permitting to identify utilities or other items that could affect permitting.”

DUDOT: Our office has no jurisdiction in this matter.

Health: Our office has no jurisdiction in this matter.

Stormwater: No objection or concerns with the concept of the petition. Additional information may be required at time of permit application.

Public Works: “DPC Public Works owns a sanitary sewer in the back property line. We have no issue as long as they have signed an easement encroachment form.” (See attached documentation)

EXTERNAL:

Village of Itasca: No objections or concerns with the petition.

- “Itasca code also requires minimum 8 ft from the property line. And they are not allowed in the side yard of residential districts (which is generally 8 ft). This would require a variance.”

Village of Addison: No objections or concerns with the petition.

Village of Bloomingdale: *No Comments Received.*

Village of Roselle: Our office has no jurisdiction in this matter.

Bloomington Township: *No Comments Received.*

Township Highway: No objections or concerns with the petition.

Bloomington Fire Dist.: No objections or concerns with the petition.

Sch. Dist. 10: *No Comments Received.*

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

Forest Preserve: “Forest Preserve District of DuPage County staff have reviewed the information provided by the County for Public Notice Cases: ZONING-26-000007 NGHC, Inc.; PLAT-26-000005 Coco Estates; PLAT-26-000004 BLASK NFP (Shine); ZONING-26-000010 CHAVEZ; ZONING-26-000011 Elliott; ZONING-26-000012 Starodub; and ZONING-26-000014 Ansari and we do not have any comments. Please consider this the Forest Preserve District of DuPage County’s formal response to these Public Notices.”

GENERAL BULK REQUIREMENTS

- Interior Side Yard

- **Required:** 3 FEET
- **Existing:** APPROX. 3 FEET
- **Proposed:** APPROX. 3 FEET

- **Rear Yard**
 - **Required:** 10 FEET
 - **Existing:** APPROX. 1 FOOT
 - **Proposed:** APPROX. 1 FOOT

LAND USE

Subject Property:

- **Zoning:** R-4 SF RES / **Existing Use:** HOUSE / **Land Use Plan (LUP):** 0-5 DU AC

North of Subject Property:

- **Zoning:** R-4 SF RES / **Existing Use:** HOUSE / **Land Use Plan (LUP):** 0-5 DU AC

South of Subject Property:

- **Zoning:** R-4 SF RES / **Existing Use:** HOUSE / **Land Use Plan (LUP):** 0-5 DU AC

East of Subject Property:

- **Zoning:** R-4 SF RES / **Existing Use:** HOUSE / **Land Use Plan (LUP):** 0-5 DU AC

West of Subject Property:

- **Zoning:** FAIRWAY LANE AND BEYOND R-4 SF RES / **Existing Use:** HOUSE / **Land Use Plan (LUP):** 0-5 DU AC