



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Development Committee
FROM: DuPage County Zoning Hearing Officer
DATE: March 4, 2026
RE: **ZONING-26-000003 Bell (York/District 2)**

Development Committee: April 7, 2026:

Zoning Hearing Officer: March 4, 2026: The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to allow the finished "good" side of an existing fence to face inward instead of outward.

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-26-000003 Bell** dated February 18, 2026.
2. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
3. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

ZHO Recommendation to Approve

FINDINGS OF FACT:

- A. That petitioner testified that the subject zoning relief is for a Variation to allow the finished "good" side of an existing fence to face inward instead of outward.
- B. The petitioner testified that a building permit was issued for the subject fence.
 - Furthermore, that petitioner testified that due to the installation technique of a "log framing"-style fence and the presence of a privacy fence on the neighboring

property, a portion of the subject fence has the finished side facing inward, with the vertical posts located on the exterior.

- C. The petitioner testified that, because of the neighboring fence, the log posts could not be installed on the interior side of the subject fence.
- D. The petitioner testified that the log posts are situated between two privacy fences—one on the subject property and one on the neighboring property—and are not directly visible to the public.
- E. The Zoning Hearing Officer finds that petitioner has demonstrated the existence of a unique circumstance and practical difficulty of the subject property.
 - The Zoning Hearing Officer finds that upon review of photographs of the “log framing” fence provided by the petitioner, which includes bracing on both sides, the Officer finds that either side of the fence could reasonably be interpreted as the finished (“good”) side.

STANDARDS FOR VARIATIONS:

1. That the Zoning Hearing Officer finds that petitioner **has demonstrated** that the granting of the Variation is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County’s comprehensive plan for development.
2. That the Zoning Hearing Officer finds that petitioner **has demonstrated** the granting of the Variation will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has demonstrated** that the existing fence does not exceed the permitted height and therefore does 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 demonstrated** that they have obtained a permit for the DuPage County Building and Zoning Department and that other than the finished “good” side facing inward on one section of the fence, the existing fence meets all other codes of the County.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the portion of the fence with the finished “good” side facing inward is located adjacent to a taller, neighboring fence and 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 existing fence is located in the rear yard and will not increase traffic congestion in the public streets and highways.
 - e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the existing fence was approved by drainage and 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 demonstrated** that the existing fence was approved by drainage 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 existing fence 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-26-000003 Bell

ZONING REQUEST: Variation to allow the finished "good" side of an existing fence to face inward instead of outward.

OWNER : ANDREA BELL, 3858 FAIRVIEW AVENUE, DOWNERS GROVE, IL 60515

ADDRESS/LOCATION: 3858 FAIRVIEW AVENUE, DOWNERS GROVE, IL 60515

PIN: 06-32-415-020

TWSP./CTY. BD. DIST.: YORK / DISTRICT 2

ZONING/LUP: R-4 SINGLE FAMILY RESIDENTIAL / 0-5 DWELLING UNITS PER ACRE

AREA: 0.35 ACRES (15,246 SQUARE FEET)

UTILITIES: WATER / SEWER

PUBLICATION DATE: DAILY HERALD: FEBRUARY 3, 2026

PUBLIC HEARING: WEDNESDAY, FEBRAURY 18, 2026, CONTINUED TO MARCH 4, 2026

ADDITIONAL INFORMATION:

Building: No objections/concerns with the petition.

DUDOT: *No Comments Received.*

Health: *No Comments Received.*

Stormwater: Our office has no jurisdiction in this matter.

Public Works: "DPC Public Works doesn't own any sewer or water mains in this area."

EXTERNAL:

Village of Downers Grove: *No Comments Received.*

Village of Oak Brook: No objections/concerns with the petition.

Village of Westmont: *No Comments Received.*

Village of Lombard: "The subject property is outside the Village of Lombard's planning boundary. As such, we have no comment on the petition."

York Township: *No Comments Received.*

Township Highway: "The address 3858 Fairview Avenue is not in York Township Road Right of Way jurisdiction. We believe that the area of Fairview is maintained by DuPage County."

Downers Grove Fire: *No Comments Received.*

Sch. Dist. 58: *No Comments Received.*

Sch. Dist. 99: No objections/concerns with the petition.

Forest Preserve: *No Comments Received.*

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:** 39TH STREET AND BEYOND VILLAGE OF DOWNERS GROVE / **Existing Use:** HOUSE / **Land Use Plan (LUP):** VILLAGE OF DOWNERS GROVE

East of Subject Property:

- **Zoning:** FAIRVIEW AVENUE AND BEYOND VILLAGE OF DOWNERS GROVE / **Existing Use:** HOUSE / **Land Use Plan (LUP):** VILLAGE OF DOWNERS GROVE

West of Subject Property:

- **Zoning:** VILLAGE OF DOWNERS GROVE / **Existing Use:** HOUSE / **Land Use Plan (LUP):** VILLAGE OF DOWNERS GROVE