1   BEFORE THE DU PAGE COUNTY

2   ZONING BOARD OF APPEALS

3

   To consider proposed Text Amendments)

4   To the DuPage County Zoning Ordinance) T-3-24

5

6   December 10, 2024

                  6:00 p.m.

7   PROCEEDINGS HAD and testimony

8   taken before the DU PAGE COUNTY ZONING BOARD

9   OF APPEALS, taken at the DuPage County

10   Administration Building, 421 North County Farm

11   Road, Wheaton, Illinois, before LINDA M.

12   CIOSEK, C.S.R. a Notary Public qualified and

13   commissioned for the State of Illinois.

14   BOARD MEMBERS PRESENT:

15   MR. ROBERT KARTHOLL, Chairman.

16   MR. DENNIS MORAN, Commissioner.

17   MR. BARRY KETTER, Commissioner.

18   MR. JACK MURPHY, Commissioner.

19   MR. CARL SCHULTZ, Commissioner.

20   MR. JIM JAROG, Commissioner.

21   MR. ZAIN RAHMAN, Commissioner via Zoom.

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ALSO PRESENT:
    MS. JESSICA INFELISE DATZMAN, Planning & Zoning.
    MR. PAUL HOSS, Planning & Zoning.
    MR. PAUL LAURICELLA, Planning & Zoning.

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CHAIRMAN KARTHOLL: Let's come to order, please. Rather than a roll call, formal roll call vote, I'll indicate that all of the members of the Board are present in person with the exception of Mr. Rahman. So I understand that he's traveling on business, so we need a motion and a vote to permit him to attend by Zoom.

Can I have such a motion?

COMMISSIONER KETTER: I'll move.

CHAIRMAN KARTHOLL: Mr. Ketter makes the motion, Mr. Moran seconds the motion. Is there any discussion on the motion?

(No response.)

CHAIRMAN KARTHOLL: All in favor of the motion, please signify by saying aye.

(Whereupon, all members responded aye.)

CHAIRMAN KARTHOLL: Any opposed?

(No response.)

CHAIRMAN KARTHOLL: The motion carries. Welcome to the meeting, Zain.

I will indicate I understand there's no public comment to be

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approved and that we have no minutes to discuss, so I'll turn to the public hearing for Text Amendment 24 -- I'm sorry, T-3-24. That is a -- well, I'll just call on Mr. Hoss to be sworn in and introduce the text amendment.

(Whereupon, the oath was duly administered by the Notary.)

CHAIRMAN KARTHOLL: Well, before you start, Paul, I should indicate that there are -- that the text amendment has been sent to all of the various communities within DuPage township. Addison Township has filed an objection and we have a letter to support that objection. No comments received from the other entities.

So with that, go right ahead.

MR. HOSS: Paul Hoss, H-o-s-s, I'm the Planning and Zoning Administration Coordinator for DuPage County Building and Zoning Department:

I have four exhibits to

2 (Pages 2 - 5)

1 present tonight. We have included those four
2 exhibits in your packet. The first exhibit is
3 the T-3-24 Text Amendment Public Hearing
4 Notice that includes the proposed text that we
5 would like to amend the Zoning Ordinance with.
6   The second group is -- the
7 second exhibit is a group exhibit. It is
8 entitled T-3-24 Text Amendments and it is a
9 map of every township in the county which
10 you'll see in the legend indicates where the
11 principal arterial roads are located, which is
12 one of the bases for the proposed text
13 amendments tonight.
14   Also there is an area that
15 is zoned R-3 or R-4 in those zoning districts,
16 and those are color coordinated. And in those
17 R-3 and R-4 zoning districts, it's a little
18 difficult to see, but I do apologize, but our
19 staff member Paul Lauricella did a great job I
20 think detailing this. Anything that is
21 outlined in red is a candidate property.
22   And then the last item in
23 the legend is the number of properties that
24 would be eligible if this proposed text

1 amendment were to pass to be -- have a
2 conversion. For instance, in Wayne Township
3 there are 54 properties, and we do that
4 through all of the township properties.
5   Once again, the dark blue
6 line is the principal arterial, the colored is
7 the zoning districts, and the red areas are
8 the properties that would be eligible.
9   Exhibit No. 3 is a picture
10 exhibit showing a sample principal arterial
11 office use conversion, which is a permitted
12 use now in the County Zoning Ordinance. It
13 was a code change that we made about 20 years
14 ago to allow for a principal arterial property
15 that meets certain standards to be converted
16 from a single-family home into an office use.
17 This is just an example of one of many
18 properties that have taken advantage of this
19 as-of-right conversion. It shows a piece of
20 property on 75th Street which was what we call
21 a clean-and-lien property, a property that was
22 essentially abandoned and we had to take court
23 action against it. It was eventually
24 converted into an office.

1   And the second picture
2 depicts what that office conversion looks like
3 now.
4   And then the fourth
5 document that we are submitting as an exhibit
6 is an excerpt -- it's entitled Excerpt from
7 the DuPage County Zoning Ordinance, and it's
8 relative to the requirements for off-street
9 parking and loading in a single-family
10 residential neighborhood, and it also gives
11 the third page the scheduled parking
12 requirements for both single-family and
13 two-family dwelling units. And those are
14 items that I'll be discussing tonight.
15   So I'd like to tender those
16 four exhibits for the record.
17   CHAIRMAN KARTHOLL: Okay, we'll accept
18 them.
19   (Whereupon, Plaintiff's
20   Exhibits 1, Group 2, 3 and
21   Group Exhibit 4 were marked
22   for identification.)
23   MR. HOSS: Chairman of the Zoning Board
24 of Appeals, the County Board and the County

1 Board Chair began an initiative back in 2023
2 at the beginning of the year to work on what
3 they're calling housing solutions. The County
4 established an Ad Hoc Housing Solutions
5 Committee. Over the course of about two years
6 now, the Ad Hoc Housing Committee, which is a
7 committee of the whole, has heard
8 presentations from county staff, from the
9 agencies that are engaged in housing programs,
10 both affordable housing and workforce housing;
11 from homeowners; from developers; from
12 builders to talk about the lack of housing
13 opportunities not only in unincorporated
14 DuPage County, but in DuPage County as a whole
15 and throughout the Chicagoland area.
16   As part of those efforts,
17 the County has -- while we have not
18 established a program especially for housing
19 yet, the County has -- the County Board has
20 authorized me to move forward at the County
21 Development Committee on a few initiatives
22 that deal with land use regulations.
23   You may recall that in the
24 past year we brought to this Board two changes

3 (Pages 6 - 9)

1 to the Zoning Code that dealt with scaling and
2 -- scaling of more opportunities for housing
3 to be developed in the county. One of those
4 had to do with the ability to have existing
5 lots of record that were below a certain size,
6 to have those lots be made buildable lots as
7 of right.
8 We also brought to you an
9 accessory dwelling unit, ADUs, as a
10 conditional use. Both of those eventually
11 were approved by the County Board and are now
12 law. We've had a few people take advantage of
13 that.
14 This next iteration, this
15 text amendment, is along those same lines,
16 trying to enable more housing, opportunities
17 for housing, and especially rental housing in
18 the unincorporated areas. And this
19 essentially merges two issues that we have in
20 the County: One is the ability to have more
21 rental opportunities in the County, and also
22 to manage better properties that are in
23 disrepair and which are located on principal
24 arterial roadways. And it is the presence of

1 the properties, the single-family residential
2 properties on principal aerial roadways, that
3 are essentially creating a hardship for the
4 properties really to be salable at a fair
5 market rate. More importantly, many of these
6 properties have gone into disrepair because
7 people just aren't taking care of them
8 anymore. Many of them are candidates for code
9 enforcement, and also in some instances
10 candidates for our clean-and-lien program
11 where we actually file suit in circuit court
12 and ask the judge to allow the County to come
13 in and clean the properties up, and in some
14 demolish the properties simply because they
15 are not being taken care of.
16 That's the rationale for us
17 bringing this text amendment forward. Some of
18 you were on the Board when we adopted the
19 Principal Arterial Office Overlay District.
20 This proposed text amendment is similar in
21 nature to that same idea, only it is to allow
22 for the conversion of a single-family home in
23 a single-family residential zoning district
24 into two units, where right now as of right

1 that home is only allowed to be converted --
2 or only allowed to be used as a single-
3 dwelling unit. This proposal would allow
4 someone who meets all the criteria, and I'll
5 get into the criteria in just a second, to be
6 able to convert that home into two dwelling
7 units, meet every other requirement in the
8 Single Family Residential Zoning District
9 except one, and that is -- well, two. One
10 would be that you would be able to have two
11 units, but the second one is that you would
12 have to meet the minimum parking requirements
13 for a two-family dwelling unit.
14 As part of Exhibit No. 4,
15 on page 3 I've shared with you the parking
16 requirements for single-family dwelling units
17 which are two parking spaces per unit. These
18 are minimum. For a two-family unit, it would
19 be 2.5, so they would be -- people would be
20 required to put more parking on the property.
21 Having said that, however,
22 in this circumstance someone converting their
23 single-family home to a two-family home would
24 have to meet all other requirements of a

1 single-family residential property, including
2 -- and you can see on Exhibit 4 I've
3 highlighted that for you, all of the other
4 parking requirements for a single-family
5 dwelling unit. And the most important one
6 there that I think the Zoning Board of Appeals
7 is aware of and we've seen in the past is that
8 in a single-family residential property you're
9 only entitled to have six passenger vehicles,
10 you can't have any more. So even though we
11 would be requiring more parking per dwelling
12 unit, the property could still not exceed six
13 total vehicles on the property. The idea
14 there is that some of the concerns that we
15 anticipate would come out is that if we allow
16 for two dwelling units on a single-family
17 property there could be an increase of
18 vehicles and traffic congestion on the
19 property. It's our belief that with these
20 proposed changes, while we're requiring more
21 parking spaces, you still can't go above what
22 you're entitled to on a single-family right
23 now, which would be six.
24 Getting into the details of

4 (Pages 10 - 13)

1 this, principal arterial roadways are roadways
2 which carry a minimum of 25,000 movements a
3 day. Most of these roadways actually carry in
4 excess of 40,000 movements a day, and we have
5 itemized, similar to what we did in the
6 principal arterial office use, we've itemized
7 the actual roadways and the stretches of
8 roadways that would qualify. The only change
9 that we've made to the current principal
10 arterial roadway grouping is Lemont Road.
11   Principal arterial roadways
12 are essentially state roadways. Route 83 --
13 going from east to west, Route 83, Route 53,
14 Route 59, North -- I'm sorry, that would be
15 north/south. Going east to west you've got
16 Irving Park Road, Lake Street, North Avenue,
17 75th Street. Those are some of the major
18 roads, and most of those roads are state
19 roadways, and once again they carry 25,000
20 movements a day or more. Most of those roads,
21 they are principal arterial roadways, they are
22 limited-access highways. So even though they
23 have single-family dwelling unit driveways
24 that come in and off of those roadways, if

1 there is a new development to occur on those
2 properties, those developments would be
3 limited in terms of access. And it would be
4 very difficult to get new access on them,
5 those properties.
6   In addition, we are
7 requiring that these single-family residential
8 properties would have to take direct access to
9 those principal arterial roadways. You can
10 see when you look at the maps we have some
11 properties that are on principal arterial
12 roadways, but they're corner lots and they
13 take access from the side likely residential
14 roadway. Those properties would not qualify
15 because they are not as impacted as the
16 properties that have direct access to the
17 principal arterial roadway.
18   In addition, we would
19 require that any property that would be
20 available for this text amendment, that the
21 property would have to be an existing
22 single-family home existing at the time of
23 passage of this ordinances. So let's just say
24 for discussion purposes, if this was to be

1 approved by the County Board on January 1, the
2 effective date would be January 1, 2025, and
3 any house built after 2025 that was a new
4 house on a principal arterial roadway, they
5 may meet all the requirements, but they
6 wouldn't meet the date requirements. So
7 anything new that would be built would not
8 qualify. It's to assist all those properties
9 that are existing right now. It's unlikely
10 that someone would build a new house on a
11 principal arterial, but it locks into place
12 those properties that are existing at the time
13 of the approval of the County Board.
14   In addition, it would --
15 the principal arterial dwelling conversion
16 would only be for the principal building, it
17 couldn't be for a detached building, existing
18 detached or otherwise. And it could only be
19 for the existing building. You would not be
20 able to add on to the building, you wouldn't
21 be able to put an extension on or room
22 addition or something like that. The only
23 thing that you would be entitled to do is
24 cosmetic maintenance on the building. You can

1 paint it, reroof it, reside it, things like
2 that, but you wouldn't be able to make any
3 addition to it.
4   In addition, similar to all
5 of the other -- the principal arterial office,
6 it would have to be owner occupied, so one of
7 the dwelling units would have to be owned and
8 occupied by the owner of the property. They
9 can rent the other dwelling unit out, but it
10 would have to be owner occupied.
11   The idea of all these rules
12 and regulations are that the single-family
13 home on a principal arterial roadway is being
14 impacted by the principal arterial roadway,
15 and the value of it has diminished because of
16 that. In addition, some of the land that was
17 available as part of that property may have
18 been taken over time because of the expansion
19 of the roadway. Now someone may have been
20 compensated by that, they may have gotten
21 money through condemnation proceeding, but
22 based on our code enforcement efforts, it
23 seems clear that they're not putting that
24 money back into the property, they're not

1 fixing up the property or landscaping or
2 putting fences up, they're just taking their
3 money and they're doing something else with
4 it, but they're not putting it back into any
5 equity in the house. So we have properties
6 that are in disrepair because people just
7 don't see the value in improving their
8 property given the fact that it's on a
9 principal arterial roadway and is impacted by
10 that roadway.
11　　　　　So we think that this
12 proposed text amendment will do a couple of
13 things: It will allow us to continue to have
14 an effective tool relative to code enforcement
15 for these single-family homes that are on
16 these major roadways and cleaning them up, and
17 it will also give property owners the
18 opportunity to clean them up in a manner that
19 they might be able to make some additional
20 money by having a second dwelling unit on the
21 property.
22　　　　　What we've shared with you
23 again in these maps is all of the properties
24 would be eligible in each township, and

1 overall I believe there's approximately 483
2 properties that would be eligible. That
3 doesn't mean that all 483 or approximately 500
4 properties are going to take advantage of
5 that. But those properties do now have
6 another opportunity to clean up their
7 properties, to get out of code enforcement,
8 and also to convert their properties to two
9 dwelling units that would provide some rental
10 assist -- much needed rental assistance in
11 unincorporated DuPage County, and for that
12 matter throughout the County.
13　　　　　(Whereupon, Commissioner
14　　　　　Rahman exited the meeting
15　　　　　due to technical
16　　　　　difficulties.)
17　　MR. HOSS: One of the concerns that we
18 have from the Village of Addison is that --
19 and we often see this in any zoning case, is
20 that if these properties were to annex into
21 the municipalities, they would not be
22 consistent with the zoning district that they
23 would be annexed into in the city. Completely
24 understand that, completely appreciate that.

1 In most instances these properties are --
2 well, not in most instances, in all instances
3 these properties are surrounded by
4 municipalities to the extent that in many
5 instances the municipalities could forcibly
6 annex these properties under the state
7 statutes. State statute required that
8 properties be surrounded by municipalities and
9 the total area be less than 60 acres. Many of
10 these properties that we're talking about are
11 surrounded by municipalities and the total
12 contiguous acreage is less than 60 acres. So
13 municipalities have the ability to annex these
14 properties and take control of these
15 properties.
16　　　　　We found that some of the
17 reasons why these properties exist the way
18 they do out there is because of the adjacent
19 annexations of properties into municipalities
20 where the municipalities have annexed
21 properties, rezoned properties and developed
22 the properties as multi-family, commercial,
23 and in some instances even industrial land
24 uses, and the remainder unincorporated

1 properties still stay as single-family because
2 they just weren't part of the annexation.
3 They either -- the developer couldn't get the
4 properties or didn't need the properties, and
5 as a result these sort of residual properties
6 that are single-family homes are left out in
7 the lurch, and there may be three or four of
8 them immediately adjacent to properties that
9 are in municipalities where the municipality
10 has annexed the properties in, demolished the
11 homes -- not the municipalities, the
12 developers have demolished the homes and
13 developed new commercial, multi-family and
14 industrial development on them. And that type
15 of development has, in addition, impacted
16 these residential properties as well.
17　　　　　So, completely understand
18 the objections of the Village of Addison, but
19 the Village of Addison does have the ability
20 to annex these properties in and put them in a
21 zoning district that would be consistent with
22 their zoning ordinance. We found that in the
23 case of Addison, many of these properties that
24 would be annexed into Addison would likely be

6 (Pages 18 - 21)

1 put into non-residential zoning districts,
2 they would be put into commercial or
3 industrial zoning districts based on where
4 they're located on our maps.
5   We think, once again, that
6 this will help us deal with code enforcement
7 issues on these properties and at the same
8 time check another box for us that will avail
9 these property owners to scale up more rental
10 housing for the unincorporated area.
11   And with that, I'll take
12 any questions.
13   CHAIRMAN KARTHOLL: In the unlikely
14 event that you missed identifying on our
15 exhibit a property that would otherwise
16 qualify in accordance with the language of the
17 text amendment, I presume that the language of
18 the text amendment controls over this exhibit;
19 is that right?
20   MR. HOSS: Correct.
21   CHAIRMAN KARTHOLL: I assumed that was
22 the case. Here's what I don't fully
23 understand, the condition that the principal
24 arterial conversion shall be occupied by the

1 owner of the property. So, there are several
2 scenarios about an owner that undertakes the
3 conversion and then passes away. I presume
4 the relief is not extinguished at the death of
5 the owner, but a new owner of the property
6 could purchase the property but would be
7 required to live at the property?
8   MR. HOSS: Correct.
9   CHAIRMAN KARTHOLL: And if the new
10 owner elects not to live but treat it as a
11 rental property, the relief is extinguished?
12   MR. HOSS: They would be in violation.
13   CHAIRMAN KARTHOLL: So what do you do,
14 tell the other tenant to move out?
15   MR. HOSS: So what would happen is we
16 would issue a violation notice and there would
17 be several options available to the property
18 owner and, in theory, even the tenant, and
19 that is they could seek zoning relief to ask
20 for a variation to allow, in that particular
21 instance, either a variation, or more likely a
22 conditional use to be able to allow that
23 second unit to be rented out. And in the
24 absence of that being approved, then we would

1 have to litigate that and the renter would
2 have to leave.
3   CHAIRMAN KARTHOLL: I think you should
4 look at the language before this is finalized
5 and try to anticipate -- try to create some
6 language which clarifies these various
7 alternatives, it seems to me.
8   MR. HOSS: Understood.
9   CHAIRMAN KARTHOLL: That's my only
10 questions. Does anyone else on the Board have
11 a question?
12   COMMISSIONER SCHULTZ: Just regarding
13 parking, I was wondering do you foresee any
14 instance where you would see these properties
15 come to us for conditional use, variations or
16 whatever, or would we just be sticking with
17 the parking requirements that we have in here
18 and they would be stuck with that?
19   MR. HOSS: The intent is to stick with
20 what we have as of right in this Ordinance.
21 Certainly anyone can ask for zoning relief,
22 whether it be a conditional use or a
23 variation. They could even come and ask to
24 rezone the property to multi-family and take

1 up new regulations relative to multi-family.
2   The reason that we're
3 sticking to these regulations is that, one, we
4 want to make sure we don't increase the
5 intensity of the operations of the property
6 beyond what ordinarily would be a
7 single-family property. The property's
8 already impacted by the street. It's likely a
9 relatively small property in comparison to the
10 adjacent properties that might be commercial
11 or multi-family. And so we don't want to
12 increase the intensities.
13   We also recognize that
14 likely because you're not able to add on to
15 the property, that the units are going to be
16 relatively small so they're not going to be
17 able to accommodate many people. So we just
18 want to keep everything contextually in size
19 with the size of the property and the size of
20 the building. And requiring the minimum
21 parking spaces and also the maximum, not more
22 than six, sort of helps with the operation of
23 that property when there's two families living
24 on the property.

7 (Pages 22 - 25)

1   COMMISSIONER SCHULTZ: And getting back
2 to the Chairman's point, it seems to me that
3 if the owner passes away and we get one of
4 these violations, doesn't that diminish the
5 value of the property because you would limit
6 -- you'd almost have to sell it to either,
7 one, somebody that's willing to live in the
8 property as a duplex, but that shrinks who's
9 going to want to have the property. Or second
10 of all -- or even having to go through all of
11 the variations and the conditional use things,
12 that that's an extra burden on the person
13 interested in purchasing?
14   MR. HOSS: Relative to -- there was a
15 thought about making this a conditional use
16 similar to what we did with the accessory
17 dwelling units. And the reason that we are
18 doing it as a permitted use is that we think
19 that the mitigating factors that allow it to
20 be a permitted use are all these conditions,
21 similar to what we did with the principal
22 arterial office. The principal arterial
23 office is working. The value of having an
24 owner occupied, what we found, we thought we'd

1 find and it actually came true in terms of the
2 data that supports this, is that the property
3 owner is more committed to taking care of the
4 property where renters aren't, and so if a
5 property owner came forward and let's say we
6 had a circumstance where the property owner
7 was living there passed away and passed it
8 along to his heirs or assigns and they didn't
9 want to live in there, they could come in and
10 presumably support a hardship, practical
11 difficulty or unique circumstance that could
12 warrant the ability for this to be rented out.
13 Or maybe they could still own it, but they
14 could rent it out to another person. So we
15 would have an owner that would be responsible
16 for the property and he would be renting out
17 to two different people. The point there is
18 that we would rather err on the side of having
19 the owner living on the property to manage it
20 and take care of it, but there are
21 circumstances where that won't occur and the
22 zoning relief process would afford someone the
23 opportunity to say in my case I don't want to
24 live there, but I will -- trust me, I will

1 continue to take care of the property and the
2 Board could place conditions on how that
3 owner, even though he's not living there,
4 would continue to manage the property the way
5 we envision the owner living on the property
6 would do. Does that make sense?
7   COMMISSIONER SCHULTZ: Yeah, it does,
8 just was trying to figure it out is all.
9   CHAIRMAN KARTHOLL: Anyone else?
10   COMMISSIONER KETTER: You mentioned
11 that such as a death and a hardship they could
12 come in and get conditionals, conditional use
13 somewhat. Doesn't that open the door that
14 once you grant the first one, then the second
15 one has another end around? The whole theory
16 of this that would have made sense when it was
17 first presented, with the owner living there
18 he's got a vested interest to keep it up and
19 not let it go down. It just seems to me as
20 we've seen in the past once they find a way
21 around it, it just opens the floodgates.
22   MR. HOSS: Agreed 100 percent.
23 As an example, as an example of that, we have
24 passed new zoning codes in the last, you know,

1 five years that deal with some very specific
2 land uses. And as an example: Chickens. We
3 came up with the number of five for chickens,
4 and people have come in here and said I want
5 six and a rooster. And our position has been,
6 not only the Zoning Board of Appeals position
7 but Development Committee and County Board has
8 been even though it says five, and that's all
9 it says in the Ordinance, there was a lot of
10 research that was done that got us to five.
11 And when someone comes in a year later and
12 says give me six, it's really not that big of
13 a deal, the Board has stuck with five for the
14 most part because there's a reason there is a
15 threshold. And that's the same thing we're
16 talking about here. There's no doubt that a
17 person who lives in his home may not take care
18 of it, we see that all the time in code
19 enforcement, but there is more of a chance
20 that if a person is living in the home they
21 will take care of it. And if someone has a
22 hardship/unique circumstance or a practical
23 difficulty such as a death in the family, they
24 can't live there any more, they get to come in

1 here and present that to you. And if it makes
2 sense, if it's reasonable, every single case
3 is going to stand on its own and if it makes
4 sense in that particular case, the Board gets
5 to say yes or no and it doesn't set any
6 precedence for the next guy.
7   That's one of the reasons
8 why we haven't created the additional language
9 that says, okay, these are as-of-right, but if
10 you have a unique circumstance you can apply
11 for a conditional use. We don't want to sort
12 of put that out there. Certainly someone can
13 come in right now and ask for zoning relief to
14 be able to allow two units on a property. We
15 don't see a lot of that because I think people
16 read the writing on the wall, and if it says
17 single-family, the likelihood that they're
18 going to get something other than single
19 family is going to be difficult.
20   So, once again, the
21 opportunity's there, wouldn't foreclose on the
22 probability of somebody coming in that sort of
23 situation or similar-type situation seeking
24 zoning relief. We don't think it's going to

1 minimum lot sizes. R-2, minimum lot size of
2 40,000 square feet; R-1, minimum lot size
3 100.000 square feet, irrespective of what type
4 of utilities you have to them. This land use
5 is only for properties that are zoned in the
6 R-3 and R-4, so these properties are dense
7 properties to begin with, they're relatively
8 small. As an example, we have properties in
9 Naperville, and you'll see on the map there
10 aren't a lot of properties in Naperville,
11 County properties, because most of those
12 Naperville properties are zoned in the R-1 or
13 R-2 Zoning Districts. They won't qualify.
14 Those are big lots and those lots are able to
15 support big houses on principal arterial
16 roadways because the lots are so large, two
17 and-a-half acres to five to ten acres.
18   But in this Ordinance you
19 would not be able to convert a detached
20 building to any dwelling unit when it's -- if
21 it's going to be converted as part of the
22 principal arterial. You wouldn't have the
23 benefit of doing both. The reason for --
24 because of that restriction, it has to be in

1 open the floodgates, but it does not foreclose
2 on the ability for someone to come in and say
3 you know what, this is a little bit harsh that
4 we have to live here because of our
5 circumstance and the Board gets to vet that,
6 and ultimately the County Board gets to say in
7 your particular case I believe you, we can set
8 some time limits on it, things like that.
9 There's many things we can do if someone wants
10 to seek zoning relief from this as opposed to
11 putting it in writing saying you can do it
12 as-of-right.
13   COMMISSIONER MORAN: My question would
14 be, Paul, there's probably not a lot of these
15 chances, but let's say I have a decent size
16 property, could I take advantage of the
17 accessory dwelling unit to turn my single unit
18 into a double unit?
19   MR. HOSS: No. Here's the reason:
20 First of all, I didn't explain at all, but
21 this is -- there are four single-family
22 residential zoning properties in the County,
23 there's R-1, 2, 3 and 4. R-1 and 2 are what
24 are called rural estate properties, they have

1 the principal dwelling unit.
2   CHAIRMAN KARTHOLL: No further
3 questions from anyone on the Board?
4   (No response.)
5   CHAIRMAN KARTHOLL: Okay. Shall we
6 consider this at our next recommendation
7 meeting?
8   MS. INFELISE DATZMAN: The next date is
9 January 9th at 5:30.
10   CHAIRMAN KARTHOLL: Then we'll close
11 the public hearing for this evening and
12 consider the matter January 9 at 5:30 in Room
13 3500-B.
14   MR. HOSS: Thank you.
15   CHAIRMAN KARTHOLL: Thank you.
16   I'll indicate for the
17 record that there is no old business or new
18 business to be considered, so we're ready to
19 adjourn our meeting for this evening.
20   (Which were all the
21   proceedings had and
22   testimony taken in the
23   above-entitled cause.)
24

9 (Pages 30 - 33)

1 STATE OF ILLINOIS   )

) SS.

2 COUNTY OF DU PAGE   )

3   I, LINDA M. CIOSEK, C.S.R.

4 No. 084-2892, duly qualified and commissioned

5 for the State of Illinois, County of DuPage,

6 do hereby certify that at the request of the

7 DU PAGE COUNTY ZONING BOARD OF APPEALS,

8 subject to the usual terms and conditions of

9 Veritext, reported in shorthand the

10 proceedings had and testimony taken at the

11 public hearing of the above-entitled cause,

12 and that the foregoing transcript is a true,

13 correct and complete report of the testimony

14 so taken at the time and place hereinabove set

15 forth.

16

17

18

19

20 *Linda M. Ciosek*

21   CERTIFIED SHORTHAND REPORTER

22

23 My Commission Expires:

24 July 26, 2026.

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