



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

630-407-6700
Fax: 630-407-6702

www.dupageco.org/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: November 7, 2023

RE: **ZONING-23-000065 Hammersmith (Winfield/ District 6)**

DuPage County Board: November 14, 2023:

Development Committee: November 7, 2023: The DuPage County Development Committee recommended to approve the following zoning relief:

1. Conditional Use to increase the total permitted area of detached accessory buildings from 850 sq. ft. to approximately 924 sq. ft., where it has existed for at least 5 years.
2. Conditional Use to reduce the rear setback for an existing shed from permitted 3 feet to approximately 1.8 feet, where it 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-23-000065 Hammersmith** dated September 27, 2023.
2. That the Conditional Use zoning relief shall expire after ten (10) 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): 5 Ayes, 0 Nays, 1 Absent

Zoning Hearing Officer: September 27, 2023: The Zoning Hearing Officer recommended to approve the following zoning relief:

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 - 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 to allow an existing shed and the total area of detached accessory buildings to remain where they have existed for at least five (5) years on the subject property.
- B. That petitioner testified that they have lived at the subject property since 1981.

- C. That petitioner testified that the subject shed has existed for at least twenty (20) years and is in great condition.
- D. That petitioner testified that the subject shed is serviced with electric for lighting.
- E. That Hearing Officer finds that petitioner has demonstrated that subject zoning relief to allow an existing shed and the total area of detached accessory buildings to remain where they have existed for at least five (5) years do not have any impact on adjacent properties and roadways, do not impact on drainage, and do 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 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 demonstrated** that they will receive a building permit from the County for the existing shed and that it was 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 existing shed does not diminish the value of land and that the adjacent neighbors do not object to the deck.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the existing shed 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 existing shed.
 - 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 existing shed.
 - 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 shed 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-23-000065 HAMMERSMITH
ZONING REQUEST	1. Conditional Use to increase the total permitted area of detached accessory buildings from 850 sq. ft. to approximately 924 sq. ft., where it has existed for at least 5 years. 2. Conditional Use to reduce the rear setback for an existing shed from permitted 3 feet to approximately 1.8 feet, where it has existed for at least 5 years.
OWNER	DALE HAMMERSMITH, 1N540 CENTER AVENUE, WEST CHICAGO, IL 60185
ADDRESS/LOCATION	1N540 CENTER AVENUE, WEST CHICAGO, IL 60185
PIN	04-01-204-034/ 04-01-204-035/ 04-01-204-033
TWSP./CTY. BD. DIST.	WINFIELD DISTRICT 6
ZONING/LUP	R-4 SF RES 0-5 DU AC
AREA	0.35 ACRES (15,246 SQ. FT.)
UTILITIES	WELL AND SEPTIC
PUBLICATION DATE	Daily Herald: SEPTEMBER 12, 2023
PUBLIC HEARING	WEDNESDAY, SEPTEMBER 27, 2023
ADDITIONAL INFORMATION:	
Building:	No Objections.
DUDOT:	Our office has no jurisdiction in this matter.
Health:	No Objections.
Stormwater:	No Objections.
Public Works:	Our office has no jurisdiction in this matter.
EXTERNAL:	
Village of Winfield:	<i>No Comments Received.</i>
Village of Carol Stream:	"No Comments"
City of Wheaton:	<i>No Comments Received.</i>
Winfield Township:	<i>No Comments Received.</i>
Township Highway:	Our office has no jurisdiction in this matter.
Winfield Fire Dist.:	<i>No Comments Received.</i>
Sch. Dist. 200:	<i>No Comments Received.</i>
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
Rear Yard:	3 FT	1.8 FT	1.8 FT
Floor Area Ratio:	850 SQ. FT.	924 SQ. FT.	924 SQ. FT.

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	R-4 SF RES	HOUSE	0-5 DU AC
East	CENTER AVENUE AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
West	R-4 SF RES	HOUSE	0-5 DU AC







