

BEFORE THE DU PAGE COUNTY  
ZONING BOARD OF APPEALS

April recommendation Meeting.) 23-090

Wag Suites

April 4, 2024

5:30 p.m.

PROCEEDINGS HAD and testimony  
taken before the DU PAGE COUNTY ZONING BOARD OF  
APPEALS, taken at the DuPage County  
Administration Building, 421 North County Farm  
Road, Wheaton, Illinois, before LINDA M.  
CIOSEK, C.S.R. a Notary Public qualified and  
commissioned for the State of Illinois.

BOARD MEMBERS PRESENT:

MR. ROBERT KARTHOLL, Chairman.

MR. JACK MURPHY, Commissioner.

MR. DENNIS MORAN, Commissioner.

MR. BARRY KETTER, Commissioner.

MR. CARL SCHULTZ, Commissioner.

MS. JANICE ANDERSON, Commissioner, via  
Zoom.

MR. ZAIN RAHMAN, Commissioner.

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1 ALSO PRESENT:  
 2 MS. JESSICA INFELISE DATZMAN, Planning &  
 3 Zoning.  
 4 MR. PAUL HOSS, Planning & Zoning.  
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1 approve those minutes?  
 2 COMMISSIONER KETTER: I move to approve  
 3 as presented.  
 4 COMMISSIONER MORAN: I'll second that.  
 5 CHAIRMAN KARTHOLL: Motion then by Mr.  
 6 Ketter, seconded by Mr. Moran.  
 7 Any discussion on those  
 8 motions?  
 9 (No response.)  
 10 CHAIRMAN KARTHOLL: All in favor of the  
 11 motion, please signify by saying aye.  
 12 (Whereupon, all  
 13 Commissioners responded  
 14 aye.)  
 15 CHAIRMAN KARTHOLL: Any opposed?  
 16 (No response.)  
 17 CHAIRMAN KARTHOLL: There are none  
 18 opposed, the motion to approve the minutes is  
 19 carried.  
 20 Then I have -- let's dispose  
 21 of two cases. We have the Pinnacle At Meyers,  
 22 which is 24-02, that's a York Township  
 23 petition, and there's a request to defer that's  
 24 made by the petitioner until our May 2nd, 2024

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1 CHAIRMAN KARTHOLL: If we could come to  
 2 order, please. This is the DuPage County  
 3 Zoning Board of Appeals, we're here this  
 4 evening April 4 for our monthly recommendation  
 5 meeting.  
 6 We have just a couple of  
 7 items on the agenda this evening, but before I  
 8 begin, I want to acknowledge that all the  
 9 members are here and present with the exception  
 10 of Ms. Anderson who I see --  
 11 COMMISSIONER ANDERSON: I'm traveling  
 12 out of town on business.  
 13 CHAIRMAN KARTHOLL: Okay. Well, that's  
 14 a good cause to appear remotely, so we'll  
 15 proceed and you'll participate remotely,  
 16 including the ability to vote.  
 17 So, with that, we have three  
 18 items of minutes to be approved from prior  
 19 meetings. Those are the minutes of the 24-02  
 20 Pinnacle At Meyers transcript of February 22,  
 21 2024; the recommendation meeting from March 7th  
 22 of 2024; and the SurMac Builders, LLC meeting  
 23 minutes for March 21, 2024.  
 24 May I ask for a motion to

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1 recommendation meeting.  
 2 So, can I just ask for a  
 3 quick staff update on the reasons behind that  
 4 request and also, similarly, the request to  
 5 continue 24-006, the SurMac Builders petition,  
 6 same request to defer until May 2. Can we have  
 7 just a sentence or two as rationale?  
 8 MR. HOSS: Sure. On the property -- the  
 9 SurMac Builders, the petitioner would like to  
 10 have an amended public hearing to amend the  
 11 zoning petition based on discussion that was  
 12 had at the last public hearing.  
 13 Relative to the Meyers Road  
 14 project, the petitioner is also looking to  
 15 potentially amend their petition due to some  
 16 new information and possibly some additional  
 17 land for the project.  
 18 CHAIRMAN KARTHOLL: So will they -- if  
 19 we're going to have new public hearings, that  
 20 means there have been substantial changes, or  
 21 there will be proposed substantial changes.  
 22 Are we going to have a republication, because  
 23 we're not going to take public hearings on May  
 24 2nd; correct?

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1 MR. HOSS: That's correct.

2 CHAIRMAN KARTHOLL: So we'll consider

3 this matter on May 2nd and then likely defer it

4 again until it's published for a new public

5 hearing?

6 MR. HOSS: It's quite possible, yes, but

7 in both instances that new information has not

8 been submitted to staff yet, it's only

9 possible, but we want to hold the opportunity

10 up to keep this record open.

11 CHAIRMAN KARTHOLL: Fine, that makes

12 sense to me, but let's see if it makes sense to

13 the rest of the Board.

14 So do I have a motion to

15 defer 24-02, the Pinnacle At Meyers case?

16 COMMISSIONER KETTER: So moved.

17 CHAIRMAN KARTHOLL: Motion by Mr.

18 Ketter.

19 COMMISSIONER SCHULTZ: Second.

20 CHAIRMAN KARTHOLL: Seconded by Mr.

21 Schultz in favor of the motion to defer

22 Pinnacle.

23 All those in favor, signify

24 by saying aye.

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1 (Whereupon, all

2 Commissioners responded

3 aye.)

4 CHAIRMAN KARTHOLL: Any opposed?

5 (No response.)

6 CHAIRMAN KARTHOLL: So that matter is

7 deferred.

8 And, separately, the 24-06

9 SurMac Builders Naperville case, do I have a

10 motion to defer on that case to May 2?

11 COMMISSIONER KETTER: So moved.

12 CHAIRMAN KARTHOLL: Motion again by Mr.

13 Ketter.

14 COMMISSIONER SCHULTZ: Second.

15 CHAIRMAN KARTHOLL: Seconded by Mr.

16 Schultz.

17 Discussion?

18 (No response.)

19 CHAIRMAN KARTHOLL: All in favor of the

20 motion, signify by saying aye.

21 (Whereupon, all

22 Commissioners responded

23 aye.)

24 CHAIRMAN KARTHOLL: And any opposed?

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1 (No response.)

2 CHAIRMAN KARTHOLL: The motion passes.

3 Those two matters will be heard as likely just

4 a status update on May 2nd at 5:30, and it will

5 be, I think, in the cafeteria, as I understand,

6 so it will be held right here.

7 And then that takes us to

8 the 009, the Wag Suites case for this evening.

9 That is a conditional use to operate an indoor

10 kennel in a B-2 General Business Zoning

11 District.

12 Do I have a motion on that

13 case?

14 COMMISSIONER MURPHY: I move we approve

15 subject to the various conditions.

16 CHAIRMAN KARTHOLL: Mr. Murphy makes a

17 motion to approve subject to the various

18 conditions. Is there a second on the motion?

19 COMMISSIONER KETTER: You know, I'll

20 second it with the proviso that we put a

21 one-year revisiting on this. The presentation

22 for the -- he jumped around. I don't even know

23 if we should put a cap on the number. It was

24 10, then it was 50, it could go to 130. I

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1 think we've got to put a cap on this as a

2 condition.

3 CHAIRMAN KARTHOLL: On the number of

4 dogs?

5 COMMISSIONER KETTER: Yes.

6 CHAIRMAN KARTHOLL: Any other comments?

7 (No response.)

8 CHAIRMAN KARTHOLL: Let me just indicate

9 the motion was made by Mr. Murphy and seconded

10 by Mr. Ketter, but Mr. Ketter suggested an

11 amendment to the motion. So let's resolve with

12 Mr. Murphy whether the amendment -- let's flush

13 this out for discussion, but first I have to

14 get Mr. Murphy to concur with the amendment to

15 the motion.

16 COMMISSIONER MURPHY: Yes.

17 CHAIRMAN KARTHOLL: Yes, okay. Mr.

18 Ketter, do you want to discuss that further, or

19 do you want others to remark?

20 COMMISSIONER KETTER: Well, I guess I

21 would put tendering going up to maybe 50,

22 because he said that would be the maximum, and

23 I think we'll revisit it in a year. Because I

24 went back and read this, I remember the

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1 presentation we were bouncing around in there,  
 2 so I would say let's try it and see how it goes  
 3 and revisit it.  
 4 CHAIRMAN KARTHOLL: Well, I concur with  
 5 that. I think my observation is that we have a  
 6 dog lover that wants to start a business, and  
 7 the presentation indicated that there is some  
 8 real questions about the vi -- not the  
 9 viability of the business, but the way that  
 10 that business will be operated. So, while I'm  
 11 inclined to give the benefit of the doubt to  
 12 the petitioner, I, too, would like to do this  
 13 on a trial basis of one year and then let the  
 14 petitioner come back, let the neighbors come  
 15 back, tell us whether there's difficulty, see  
 16 if the County experiences any difficulties, and  
 17 then if the petitioner chooses to come back  
 18 after a year, then we consider further relief.  
 19 Now as to the number of  
 20 dogs, I have no idea what the right number is  
 21 to be. Fifty dogs is a lot of dogs for a  
 22 start-up.  
 23 COMMISSIONER KETTER: I think I probably  
 24 should clarify. He said 50 dogs around

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1 Christmas, Thanksgiving, the holidays, not  
 2 during the normal week. So maybe clarify that  
 3 further, up to 50 dogs on Christmas, Easter and  
 4 Thanksgiving.  
 5 CHAIRMAN KARTHOLL: How in the world is  
 6 the County going to monitor -- I mean, I don't  
 7 know how we do that. If that's appropriate,  
 8 then that's fine. Does anybody else have a  
 9 comment? Mr. Schultz?  
 10 COMMISSIONER SCHULTZ: Yeah, I think 50  
 11 dogs is probably doable, and since it's not  
 12 going to be ongoing, like always going to be 50  
 13 dogs, I'm less concerned about that. And,  
 14 also, since we're having them come back in a  
 15 year, we'll be able to make a determination  
 16 that 50 dogs is too many because we'll have the  
 17 experience of what went on. So I think that's  
 18 a good way to approach it, and I think that  
 19 would be more than fair to him and lets us kind  
 20 of keep control of it, too.  
 21 CHAIRMAN KARTHOLL: Okay. So then the  
 22 motion is to grant the conditional use subject  
 23 to the various conditions with the provisions  
 24 that the limit to the number of dogs would be

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1 50, and it would be a one-year limit rather  
 2 than a five-year limit, time limitation, with  
 3 the other time limitation items included in  
 4 that condition. What I mean by that is the A  
 5 and B items, the structure is voluntarily  
 6 removed or damaged, et cetera.  
 7 So is there any further  
 8 discussion on this motion?  
 9 COMMISSIONER MORAN: I want to clarify  
 10 so we're going to change number two to one  
 11 year?  
 12 CHAIRMAN KARTHOLL: Correct.  
 13 COMMISSIONER MORAN: And then we're  
 14 going to stick with number five at 50 dogs on  
 15 holidays?  
 16 CHAIRMAN KARTHOLL: It doesn't now say  
 17 on holidays, but --  
 18 COMMISSIONER KETTER: That's what I made  
 19 the motion as, and that's how it was presented.  
 20 CHAIRMAN KARTHOLL: Okay, so then it's  
 21 on holidays, in or around holiday seasons.  
 22 COMMISSIONER KETTER: And I just named  
 23 the holidays he had thrown out.  
 24 COMMISSIONER MORAN: I agree with what

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1 you're saying, the presentation was up and down  
 2 and here and there, so in one year we can  
 3 address it and we can change that. If we don't  
 4 necessarily need to --  
 5 COMMISSIONER ANDERSON: Mr. Chairman, I  
 6 have a question.  
 7 CHAIRMAN KARTHOLL: Yes, Ms. Anderson?  
 8 COMMISSIONER ANDERSON: You're saying 50  
 9 dogs, shouldn't it be 50 dogs per day or --  
 10 because you said holidays, but what if they  
 11 have a week spring break, which is not  
 12 associated with a holiday, it could be various  
 13 times are you going to allow more than 50 dogs?  
 14 Or is it 50 or maximum 50, or what? I'm just  
 15 confused by the conversation.  
 16 CHAIRMAN KARTHOLL: Yeah, I'm sorry, the  
 17 condition in number five says that the number  
 18 of dogs permitted on the subject property at  
 19 any one time shall not exceed 50 dogs.  
 20 COMMISSIONER ANDERSON: Thank you.  
 21 CHAIRMAN KARTHOLL: And now it's shall  
 22 not exceed 50 dogs during various holiday  
 23 seasons enumerated by Mr. Ketter. Otherwise --  
 24 COMMISSIONER KETTER: Otherwise it's 10.

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1 CHAIRMAN KARTHOLL: Okay, and that is  
 2 the understanding of the members of the Board?  
 3 COMMISSIONER SCHULTZ: That's fine.  
 4 CHAIRMAN KARTHOLL: Okay. Well then we  
 5 understand what the motion is, so let's call  
 6 the roll on the motion.  
 7 MS. INFELISE DATZMAN: Member Murphy?  
 8 COMMISSIONER MURPHY: Yes.  
 9 MS. INFELISE DATZMAN: Member Ketter?  
 10 COMMISSIONER KETTER: Aye.  
 11 MS. INFELISE DATZMAN: Member Anderson?  
 12 COMMISSIONER ANDERSON: Aye.  
 13 MS. INFELISE DATZMAN: Member Moran?  
 14 COMMISSIONER MORAN: Aye.  
 15 MS. INFELISE DATZMAN: Member Schultz?  
 16 COMMISSIONER SCHULTZ: Aye.  
 17 MS. INFELISE DATZMAN: Member Rahman?  
 18 COMMISSIONER RAHMAN: Aye.  
 19 MS. INFELISE DATZMAN: Chairman  
 20 Kartholl?  
 21 CHAIRMAN KARTHOLL: Aye.  
 22 Although I indicated that  
 23 there will be some difficulty in counting these  
 24 dogs at various times of the year, I have no

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1 difficulty in counting 7 in favor and none  
 2 opposed, and the motion passes.  
 3 So, those are all of the  
 4 substantive items on the agenda.  
 5 And now I'll -- we have no  
 6 old business, no new business. Is there any  
 7 public comment to be read into the record?  
 8 MS. INFELISE DATZMAN: There was two  
 9 public comments submitted online. Those will  
 10 be added to the minutes.  
 11 CHAIRMAN KARTHOLL: Yeah, did you get  
 12 that, two public comments online which will be  
 13 added to the minutes.  
 14 Very good. If there's no  
 15 further business, we can -- I don't see anyone  
 16 clamoring for public comment here. So, I'm  
 17 being encouraged to solicit public comment.  
 18 You guys don't -- I assume that if you had  
 19 comments, you would indicate it.  
 20 Okay, great. Thank you very  
 21 much, and we'll adjourn for the evening.  
 22 (Which were all the  
 23 proceedings had and  
 24 testimony taken in the

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1 above-entitled cause.)  
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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, do  
 6 hereby certify that at the request of the DU  
 7 PAGE COUNTY ZONING BOARD OF APPEALS, subject to  
 8 the usual terms and conditions of Veritext,  
 9 reported in shorthand the proceedings had and  
 10 testimony taken at the public hearing of the  
 11 above-entitled cause, and that the foregoing  
 12 transcript is a true, correct and complete  
 13 report of the testimony so taken at the time  
 14 and place hereinabove set forth.  
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 16  
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 18   
 19  
 20 CERTIFIED SHORTHAND REPORTER  
 21  
 22 My Commission Expires:  
 23 July 26, 2026.  
 24

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**Blakely, Heidi**

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Submitted at 03/30/24 4:19 PM

<b>Meeting Date:</b>	03/30/24
<b>Meeting:</b>	Zoning Board of Appeals
<b>Name:</b>	Mercedes Ruiz
<b>Organization:</b>	
<b>Address:</b>	1S126 Ingersoll lane Villa Park, IL 60181
<b>Daytime Phone:</b>	(630) 247-9180
<b>Subject:</b>	New townhouse to be build @ Meyer & 14th
<b>Comment:</b>	It's too crowded in this area and parking is always an issue.

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**Blakely, Heidi**

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Submitted at 04/02/24 5:51 PM

<b>Meeting Date:</b>	04/04/24
<b>Meeting:</b>	Zoning Board of Appeals
<b>Name:</b>	Kathryn DiVito
<b>Organization:</b>	
<b>Address:</b>	18W681 13th St Lombard, IL 60148
<b>Daytime Phone:</b>	(630) 776-6985
<b>Subject:</b>	Pinnacle at Meyers, #24-000002
<b>Comment:</b>	I, Kathryn DiVito of 18W681 13th St in Lombard 60148. Request that as elected DuPage County officials, you DENY all the proposed Conditional Uses associated with “Zoning Petition ZONING-24-000002 The Pinnacle at Meyers” as submitted to the DuPage County Zoning Board of Appeals on February 22, 2024. The proposed Pinnacle at Meyers would be detrimental to our community. My concerns are as follows; density, the project is proposing 15 units per acre. That is absurd, most of our single family homes located in our community sit on close to an acre that is 1:1 ratio. Green space is basically

nonexistent with the proposed units which leads to more noise pollution in our quiet family oriented community. Traffic is a very big concern as my home is located less than 1 block from the proposed development, I am a mother and walk my community daily with my children and pets, the Pinnacle at Meyers would create dangerous amounts of traffic during construction and following completion due to visitors and residents, our local roads are not equipped for street parking and safe walking with the proposed development. I am also very concerned about sewer and sanitary pump station. Most of the current residents' of York center deal with sewer issues and I can only imagine the amount of strain an additional 30 units would cause which in turn would lead to damage of our own property. My family and I moved to this community for the amazing neighbors, safe space and large green space consisting of single family homes. It is not fair our community to have commercial properties of such large capacity invade our safe community.

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