



DU PAGE COUNTY

Development Committee

Final Regular Meeting Agenda

421 N. COUNTY FARM ROAD
WHEATON, IL 60187
www.dupagecounty.gov

Tuesday, April 16, 2024

10:30 AM

ROOM 3500B

1. CALL TO ORDER

2. ROLL CALL

3. CHAIRMAN'S REMARKS- CHAIR TORNATORE

4. PUBLIC COMMENT

5. MINUTES APPROVAL

5.A. [24-1272](#)

Development Committee - Regular Meeting - April 2, 2024

6. REGULATORY SERVICES

6.A. [DC-O-0023-24](#)

ZONING-23-000090 – Wag Suites: The Zoning Board of Appeals recommended to approve the following zoning relief:

Conditional Use to operate an indoor kennel in a B-2 General Business Zoning District. (Wayne/District 6) (Located at the southeast corner of North Avenue and St. Charles Road)

ZBA VOTE (to Approve): 7 Ayes, 0 Nays, 0 Absent

6.B. [DC-O-0024-24](#)

ZONING-24-000009 – Barnas: The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to reduce the rear yard setback for a new pool shed from required 3' to approximately 2' (replacing previous pool shed in same location). (Wayne/District 6) (Located at the northwest corner of Timber Lane and Lakeview Court)

ZHO Recommendation to Approve

6.C. [DC-O-0025-24](#)

ZONING-24-000010 – CHICAGO TITLE TR800239101: The Zoning Hearing Officer recommended to approve the following zoning relief:

Conditional Use for a Principal Recreational Use in the R-2 Zoning District to allow for a 2,112 square foot timber frame barn with horse stables to be built for the owner's horses. (Winfield/District 6) (Generally located northwest of Herrick Road and Galusha Avenue, on the west side of Herrick Road)

ZHO Recommendation to Approve

- 6.D. [DC-O-0026-24](#)
ZONING-24-000012 – Mobil-Glen Ellyn: The Zoning Hearing Officer recommended to approve the following zoning relief:
1. Variation to reduce the corner side setback for a relocated sign from required 15' setback to approximately 3.1 feet, due to IDOT R.O.W. taking.
 2. Variation to reduce the rear yard setback for a relocated sign from required 20' setback to approximately 2.7 feet, due to IDOT R.O.W. taking. (Milton/District 4) (Located at the northwest corner of Butterfield Road and Route 53)
- ZHO Recommendation to Approve
- 6.E. [DC-O-0027-24](#)
ZONING-24-000013 – CTLTC #8002391179: The Zoning Hearing Officer recommended to approve the following zoning relief:
Conditional Use to reduce the interior setback of an existing fence from 3” to approximately 0” for an existing fence post on the property line. (Downers Grove/District 3) (Generally located southeast of Sunrise Avenue and Meadow Court, on the south side of Meadow Court)
ZHO Recommendation to Approve
- 6.F. [DC-O-0028-24](#)
ZONING-24-000015 – Weiss: The Zoning Hearing Officer recommended to approve the following zoning relief:
Conditional Use to allow existing shed to remain less than 10' from the west property line (approximately 2') where it has existed for at least 5 years (extension of previously approved zoning relief Z15-006 Weiss). (Downers Grove/District 3) (Generally located northeast of 86th Place and Washington Street, on the north side of 86th Place)
ZHO Recommendation to Approve
- 6.G. [DC-O-0029-24](#)
ZONING-24-000016 – Correa: The Zoning Hearing Officer recommended to approve the following zoning relief:
Conditional Use to allow a 6'/100% closed fence within the 10' corner side yard setback. (York/District 4) (Located at the southwest corner of Hampton Lane and Marlborough Lane)
ZHO Recommendation to Approve
- 6.H. [24-1273](#)
“DuPage County Liquor Ordinance Proposed changes related to Video Gaming”
Documents to be distributed from Liquor Control Office at Committee Meeting.

6.I. [24-1275](#)

T-1-24 Text Amendments to the DuPage County Zoning Ordinance to add to the definition section relative to video gaming uses and Permitted and Conditional Use sections of the B-1 Local Commercial, B-2 General Commercial, I-1 Light Industrial and I-2 General Industrial Zoning districts to include Video Gaming Cafe and video gaming facilities ancillary to permitted uses in these various zoning districts.

T-2-24 Text Amendments to the DuPage County Zoning Ordinance to add to the definition section relative to electric vehicles and Permitted and Conditional Use sections to allow for electric vehicle charging stations, and to add further regulations for lighting performance standards in all zoning districts.

T-3-24 Text Amendments to the DuPage County Zoning Ordinance to add to the definition section relative to Accessory Dwelling Units and Dwelling units in general and add new residential use requirements and bulk regulations in all zoning districts.

T-4-24 Text Amendments to the DuPage County Zoning Ordinance to add the Lake Street Corridor Overlay District Regulations to the DuPage County Zoning Ordinance.

7. **OLD BUSINESS**8. **NEW BUSINESS**9. **ADJOURNMENT**



Minutes

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: 24-1272

Agenda Date: 4/16/2024

Agenda #: 5.A.



DU PAGE COUNTY

Development Committee

Final Summary

421 N. COUNTY FARM ROAD
WHEATON, IL 60187
www.dupagecounty.gov

Tuesday, April 2, 2024

10:30 AM

ROOM 3500B

1. CALL TO ORDER

10:30 AM meeting was called to order by Chair Sam Tornatore at 10:30 AM.

2. ROLL CALL

PRESENT	Chaplin, Gustin, Ozog, Rutledge, and Tornatore
ABSENT	Krajewski

3. CHAIRMAN'S REMARKS- CHAIR TORNATORE

No remarks were offered.

4. PUBLIC COMMENT

Mike Roth, attorney for the Oburrdale, Inc. petition spoke on their behalf. He explained the reason for the ZBA recommendation to deny petition. There was a concern of a fire hazard due to a woodpile being located near the property line. The petitioner proposed to revise the site plan and eliminate the setback deviation request and meet the required 20 foot setback. The Zoning Board of Appeals did not allow them to make the change at the hearing and were advised to bring this information to the Development Committee. He asked that the Committee either consider this new site plan or return petition to the ZBA.

***Public comment submitted electronically can be found at the end of the meeting minutes packet.

5. MINUTES APPROVAL

5.A. [24-1109](#)

Development Committee - Regular Meeting - March 19, 2024

Attachments: [Final Summary Meeting Minutes 3-19-24.pdf](#)

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Mary Ozog
AYES:	Chaplin, Gustin, Ozog, Rutledge, and Tornatore
ABSENT:	Krajewski

6. REGULATORY SERVICES

6.A. [24-1110](#)

ZSE-24-000001 Naperville Country Club: To approve the special event action item: The Naperville Country Club Fireworks Display scheduled for Sunday, June 30, 2024, at 9:15 PM. (Lisle/ District 5) (Located northwest of Chicago Avenue and Olesen Drive)

Attachments: [ZSE-24-000001 Naperville C.C. Fireworks_Redacted 1.pdf](#)

RESULT:	APPROVED
MOVER:	Liz Chaplin
SECONDER:	Patty Gustin
AYES:	Chaplin, Gustin, Ozog, Rutledge, and Tornatore
ABSENT:	Krajewski

6.B. [DC-O-0013-24](#)

ZONING-23-000078 Hehl: To Approve as “Essentially in Accordance” that the proposed revised site plan is essentially in accordance with the site plan granted per ZONING-23-000078 Hehl and to allow the proposed garage to be attached to the existing home instead of detached. (Downers Grove/ District 3)

Attachments: [Z-23-000078 Hehl Dev. Com. \(04-02-2024\) Essentially In Accordance.pdf](#)

RESULT:	APPROVED
MOVER:	Patty Gustin
SECONDER:	Sheila Rutledge
AYES:	Chaplin, Gustin, Ozog, Rutledge, and Tornatore
ABSENT:	Krajewski

6.C. [DC-O-0014-24](#)

ZONING-23-000095 – Dr. Smoke: To approve the following zoning relief:
1. Conditional Use to allow a restaurant/tavern in the B-1 Local Business District.
2. Variation to reduce the required amount of parking spaces from 15 to 11 spaces, as existing. (York/District 2) (If the County Board seeks to approve the zoning relief it will require a ¾ majority vote {14 votes} to approve based on the recommendation to deny by the Zoning Hearing Officer)
ZHO Recommendation to Deny
Development Committee VOTE (Motion to Approve Failed): 0 Ayes, 5 Nays, 1 Absent

Paul Hoss, Planning & Zoning Administration Coordinator explained the reason for the Hearing Officer's recommendation to deny the petition. Per state gaming laws, a pour license is needed from the local jurisdiction. Conditional use is needed for a Class B restaurant in a B-1 zoning district, as well as 15 parking spaces per 1,000 sq ft of gross floor area. They don't have even 5 parking spaces and currently patrons are parking in the

street and in the public right-of-way. There was no hardship, unique circumstance or practical difficulty established at the hearing.

Attachments: [Z-23-000095 Dr. Smoke Cty. Bd. \(04-09-2024\).pdf](#)

RESULT:	RECOMMENDED TO DENY (DEVELOPMENT ONLY)
MOVER:	Sheila Rutledge
SECONDER:	Patty Gustin
NAY:	Chaplin, Gustin, Ozog, Rutledge, and Tornatore
ABSENT:	Krajewski

6.D. [DC-O-0015-24](#)

ZONING-23-000096 – Anjuman-e-Saifee: To approve the following zoning relief: Variation to reduce the minimum interior side yard setbacks from 40 feet to approximately 20 feet for the construction of two proposed parking lots (Section 37-704.4A). (Downers Grove/District 3)

ZBA VOTE (to Approve): 7 Ayes, 0 Nays, 0 Absent

Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

Paul Hoss informed the Committee, as part of this petition, the developer has agreed to provide a pedestrian pathway easement in the front of their property on Route 83. This is consistent with the County's Route 83 plan of providing a connection to other pedestrian pathways in this area.

Attachments: [Z-23-000096 Anjuman-e-Saifee Cty. Bd. \(04-09-2024\).pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Liz Chaplin
SECONDER:	Patty Gustin
AYES:	Chaplin, Gustin, Ozog, Rutledge, and Tornatore
ABSENT:	Krajewski

6.E. [DC-O-0016-24](#)

ZONING-24-000001 – Cardinal Fence & Supply, Inc.: To approve the following zoning relief:

Variation to reduce the front yard setback for a new 7' fence from required 40' to approximately 3" (replacing current fence with new fence in same location). (Winfield/District 6)

ZHO Recommendation to Approve

Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

(That petitioner has withdrawn the Variation to allow a barbed-wire fence on the subject property (replacing current barbed wire with new barbed wire in same location) on April 2, 2024)

Chair Tornatore verified the barbed wire fence denial was due to subject property not being located in a completely industrial area. Paul Hoss told the Committee that most likely the petitioner is going to remove the request for the barbed wire fencing, but item would still needed to be voted on today.

Petition was bifurcated, the second request is for a variation to allow a barbed wire fence on the property. The motion was made by Member Gustin, seconded by Member Chaplin, vote was unanimous to deny.

Attachments: [Z-24-000001 Cardinal Fence & Supply, Inc. Cty. Bd. Flyer \(04-09-2024\).pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Sheila Rutledge
SECONDER:	Mary Ozog
AYES:	Chaplin, Gustin, Ozog, Rutledge, and Tornatore
ABSENT:	Krajewski

6.F. [DC-O-0017-24](#)

ZONING-24-000005 – Oburrdale, Inc.: The Zoning Board of Appeals recommended to deny the following zoning relief:

1. Conditional Use for open storage of equipment, equipment storage containers, and landscape materials.
2. Exception/Variation to reduce the south (front yard) setback from required 40 feet to approximately 2 feet.
3. Exception/Variation to reduce the east (interior side yard) setback from required 20 feet to approximately 1.5 feet.
4. Exception/Variation to reduce the west (interior side yard) setback from required 20 feet to approximately 2 feet.
5. Exception/Variation to reduce north (rear yard) setback from required 20 feet to approximately 0 feet. (Downers Grove/District 3) (Generally located northeast of Route 83 and Jeans Road, on the north side of Jeans Road)

ZBA VOTE (to Deny): 5 Ayes, 2 Nays, 0 Absent

Chair Tornatore told the Members that if the petitioner was in agreement, due to the new site plan, the petition would be sent back to the Zoning Board of Appeals.

Attachments: [Z-24-000005 Oburrdale, Inc. Dev. Com. Flyer \(04-02-2024\) Redacted.pdf](#)

RESULT:	DEFERRED
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MOTION TO REMAND ZONING-24-000005 OBURRDALE, INC. PETITION BACK TO ZONING BOARD OF APPEALS

RESULT:	APPROVED
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MOVER:	Patty Gustin
SECONDER:	Sheila Rutledge

6.G. [DC-O-0018-24](#)

ZONING-24-000008 – Castillo: To approve the following zoning relief:
 Conditional Use to allow existing deck and pool to remain less than 30' (approximately 3.6') from the corner side setback, where it has existed for at least 5 years.
 (Bloomingdale/District 1)
 ZHO Recommendation to Approve
 Development Committee VOTE (to Approve): 5 Ayes, 0 Nays, 1 Absent

Attachments: [Z-24-000008 Castillo Cty. Bd. \(04-09-2024\)_Redacted.pdf](#)

RESULT:	APPROVED AT COMMITTEE
MOVER:	Patty Gustin
SECONDER:	Liz Chaplin
AYES:	Chaplin, Gustin, Ozog, Rutledge, and Tornatore
ABSENT:	Krajewski

7. **OLD BUSINESS**

No old business was discussed.

8. **NEW BUSINESS**

No new business was discussed.

9. **ADJOURNMENT**

With no further business, the meeting was adjourned at 10:48 A.M.



Development Ordinance

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: DC-O-0023-24

Agenda Date: 4/16/2024

Agenda #: 6.A.



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630-407-6700
fax: 630-407-6702

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MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Board of Appeals

DATE: April 4, 2024

RE: **ZONING-23-000090 WagSuites (Wayne / District 6)**

DuPage County Development Committee: April 16, 2024:

DuPage County Zoning Board of Appeals: April 4, 2024: The Zoning Board of Appeals recommended to approve the following zoning relief:

Conditional Use to operate an indoor kennel in a B-2 General Business Zoning District.

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-23-000090 WagSuites** dated April 4, 2024.
2. That the Conditional Use zoning relief shall expire after one (1) year 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 the Conditional Use shall inure only to the owner, VRINDAVAN CORP and/or BRIAN NOWICKI WITH WAGSUITES, and shall terminate in the event that the owner, or any entity owned or controlled by VRINDAVAN CORP, BRIAN NOWICKI and/or WAGSUITES discontinues operation of the subject Conditional Use on the subject property.



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5. That the number of dogs permitted for indoor kenneling on the subject property at any one time shall not exceed ten (10).
6. That during a holiday season (up to five [5] days prior to and up to five [5] days after a holiday), the total number of dogs permitted on the subject property at any one time shall not exceed fifty (50).
7. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

ZBA VOTE (to Approve): 7 Ayes, 0 Nays, 0 Absent

FINDINGS OF FACT:

1. That petitioner testified that the subject zoning relief is for a Conditional Use to operate an indoor kennel in a B-2 General Business Zoning District.
2. That petitioner testified that the indoor kennel would board and/or “daycare” dogs, with grooming services available to the dogs that are under care of WagSuites.
 - a. That petitioner testified that there will be an area outside for the dogs to relieve themselves and for outside play time.
3. That petitioner testified that currently, he is the only employee and expects to have no more than five (5) employees in the future.
4. That petitioner testified that the proposed indoor kennel/ boarding facility would be open 24/7 with overnight boarding of dogs.
5. That petitioner testified that all waste and garbage is handled by the property owner and is disposed of by a private garbage service.
6. That petitioner testified that on average they expect approximately ten (10) dogs daily, but at maximum could hold between fifty (50) to sixty (60) dogs for holiday seasons.
7. Furthermore, that petitioner testified that the WagSuites indoor dog kennel facility would be a great addition and service to the surrounding area and due to the location on North Avenue, in close proximity County Farm Road and Route 59.

STANDARDS FOR CONDITIONAL USES:

1. That the Zoning Board of Appeals 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:

Jack T. Kasper, Administrator, Planning & Zoning Department, DuPage County, Wheaton, Illinois 60187



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- a. Impair an adequate supply of light and air to the adjacent property as petitioner **has demonstrated** that the proposed indoor kennel will be operated in the existing building on the subject property, and therefore will not impair an adequate 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 proposed indoor kennel will be operated in the existing building on the subject property and that he will receive a permit for any construction or excavation on the subject property.
- c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed indoor kennel will be an added benefit to the area and will be built pursuant to the current DuPage County building codes, which 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 proposed indoor kennel will not unduly increase traffic congestion in the public streets.
- e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the proposed indoor kennel will not increase the potential for flood damages, as it will be operated in the existing building on the subject property.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the proposed indoor kennel will not incur additional public expense for flood protection, rescue, or relief, as the indoor kennel will be operated in the existing building on the subject property.
- g. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County as petitioner **has demonstrated** that the proposed indoor kennel will be an added benefit to the area and service the surrounding area for the pet needs, and that it will be operated in the existing building on the subject property, which will not impair the public health, safety, comfort, morals, or general welfare.



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PETITIONER'S DEVELOPMENT FACT SHEET

CASE #/PETITIONER	ZONING-23-000090 WagSuites	
ZONING REQUEST	Conditional Use to operate an indoor kennel in a B-2 General Business Zoning District.	
OWNER	VRINDAVAN CORP, 27W641 NORTH AVENUE, WEST CHICAGO, IL 60185/AGENT: BRIAN NOWICKI, 27W751 NORTH AVENUE, WEST CHICAGO, IL 60185	
ADDRESS/LOCATION	27W751 NORTH AVENUE, WEST CHICAGO, IL 60185	
PIN	01-36-102-004	
TWSP./CTY. BD. DIST.	WAYNE	DISTRICT 6
ZONING/LUP	B-2 GENERAL BUSINESS	LOCAL COMMERCIAL
AREA	1.08 ACRES (47,045 SQ. FT.)	
UTILITIES	WELL AND SEPTIC	
PUBLICATION DATE	Daily Herald: November 15, 2023	
PUBLIC HEARING	Thursday, November 30, 2023	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	No Objections.	
Health:	No Objections with the concept of the petition. Additional information may be required at time of permit application. "Animal waste and floor drains from inside the cage and play areas may not drain into the septic field."	
Stormwater:	Our office has no jurisdiction in this matter.	
Public Works:	Our office has no jurisdiction in this matter.	
EXTERNAL:		
Village of Winfield:	<i>No Comments Received.</i>	
Village of Carol Stream:	<i>No Comments Received.</i>	
City of West Chicago:	<i>No Comments Received.</i>	
Wayne Township:	<i>No Comments Received.</i>	
Township Highway:	<i>No Comments Received.</i>	
Carol Stream Fire Dist.:	<i>No Comments Received.</i>	
Sch. Dist. 25:	<i>No Comments Received.</i>	
Sch. Dist. 94:	<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."	



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LAND USE

Location	Zoning	Existing Use	LUP
Subject	B-2 General Business	Commercial	Local Commercial
North	North Avenue and beyond R-3 SF RES	Recreational/Open Space	0-5 DU AC
South	St. Charles Road and beyond B-2 General Business/R-3 SF RES	Commercial/ Forest Preserve	Open Space
East	B-2 General Business	Motel	Local Commercial
West	St. Charles Road and beyond B-2 General Business	Commercial/Residential	Local Commercial



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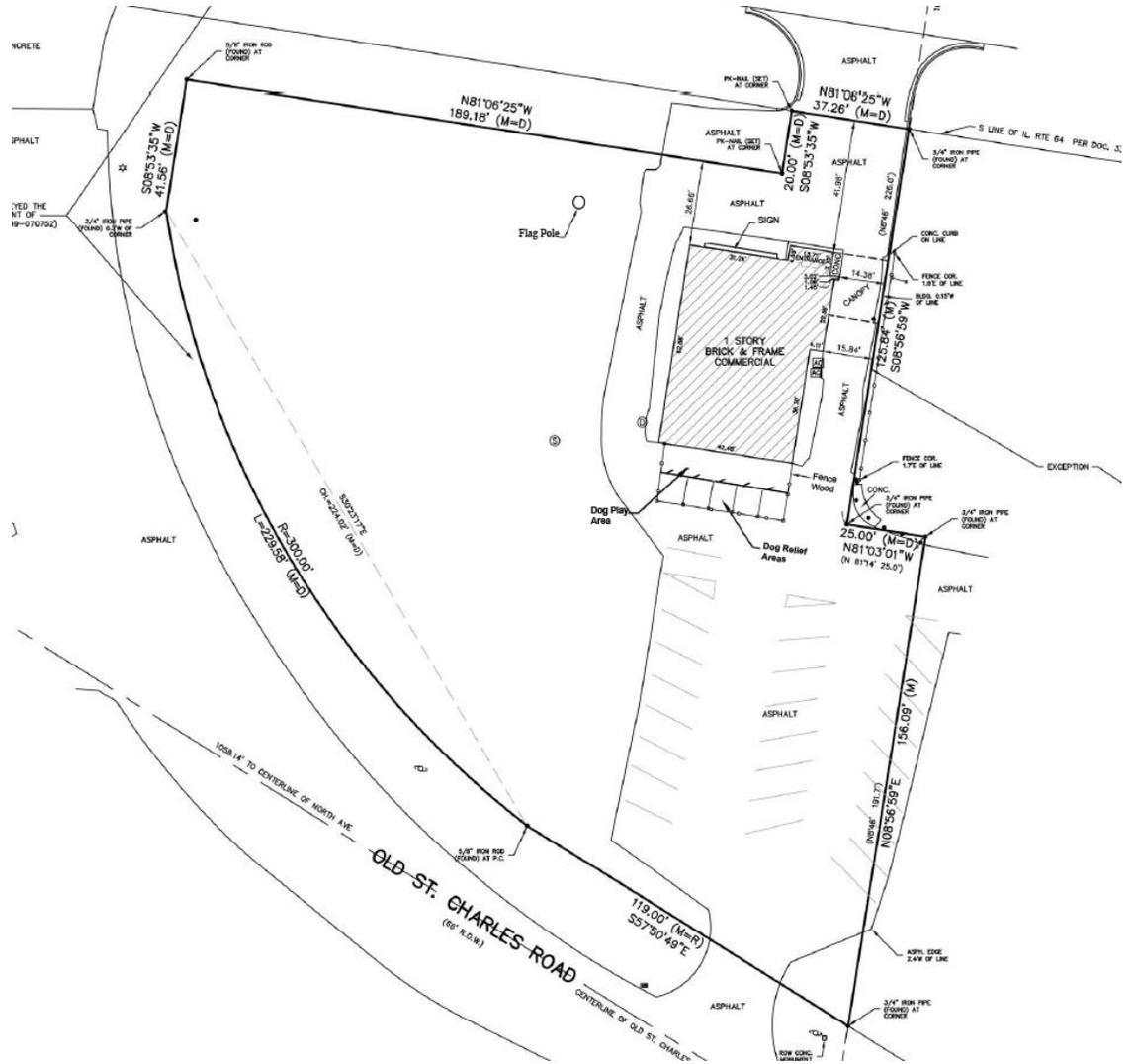
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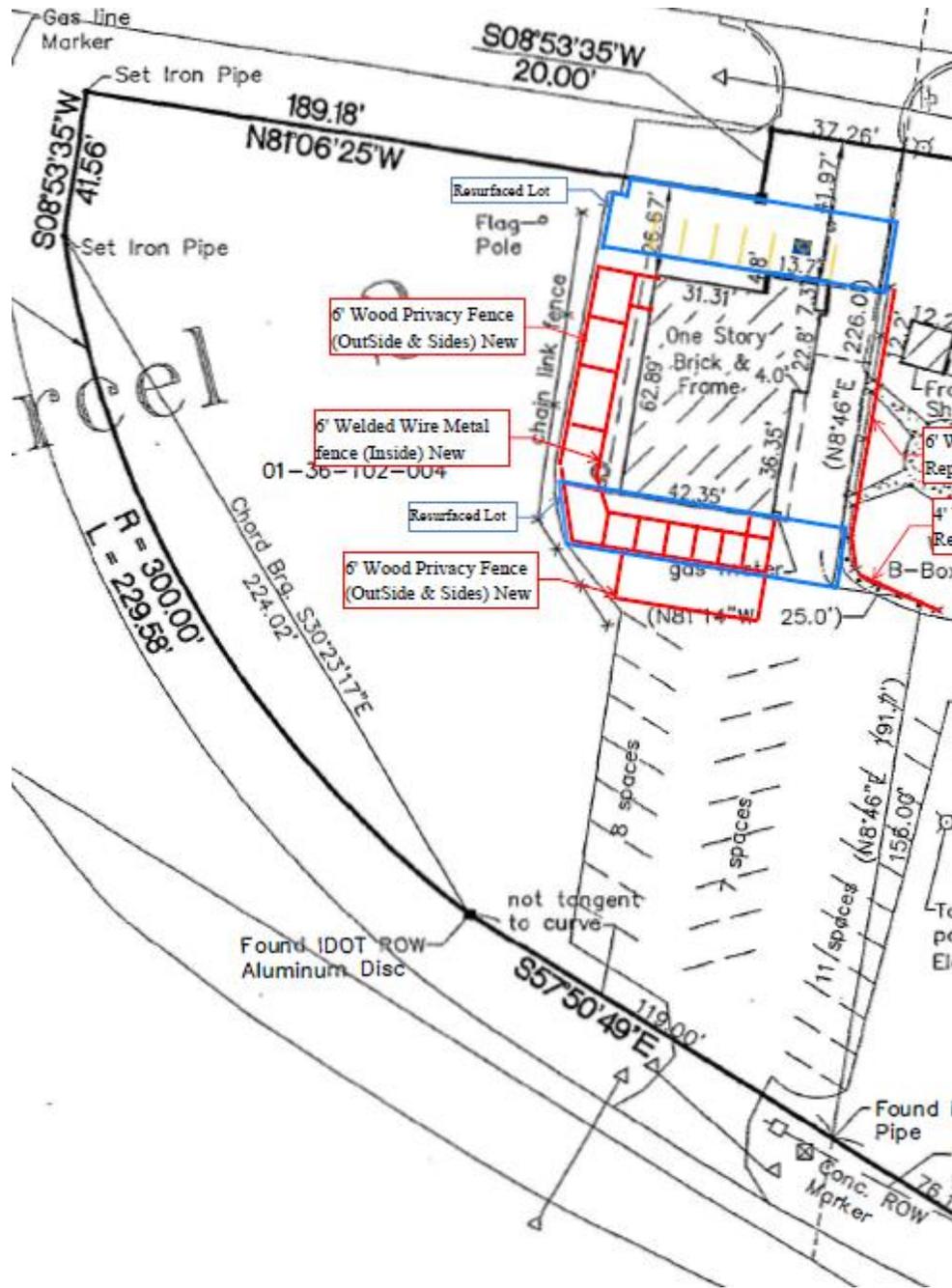
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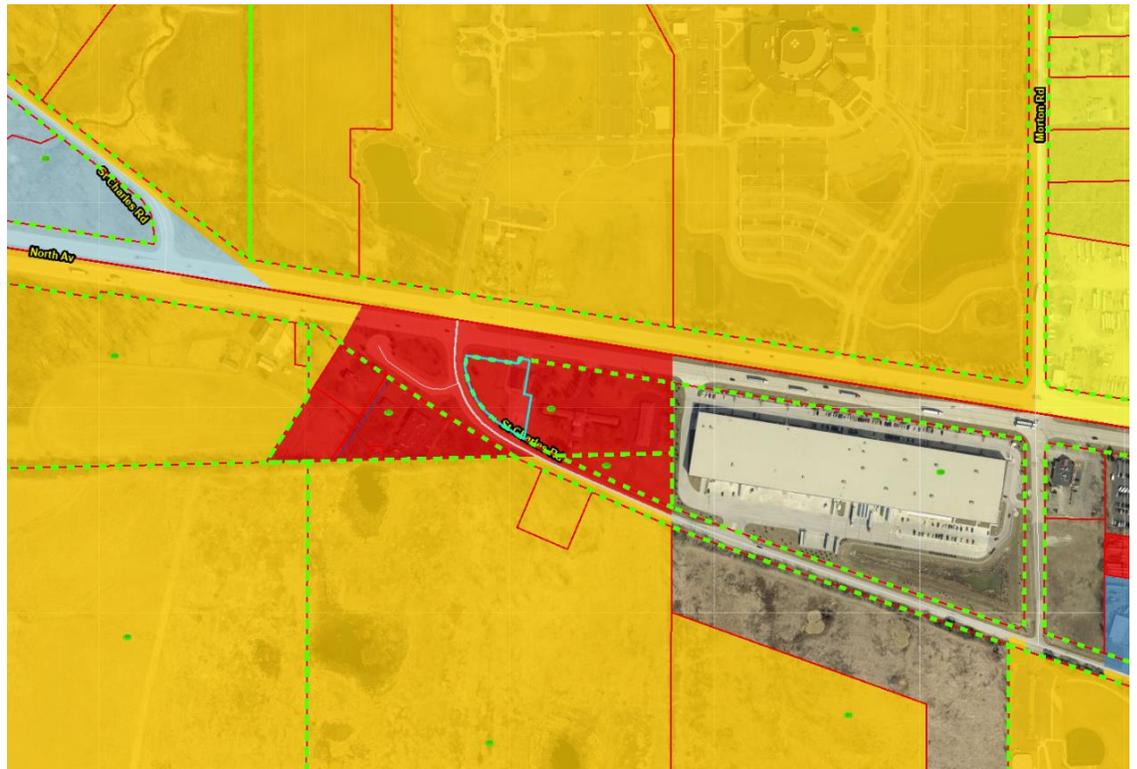
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Dupage County Building & Zoning

Zoning Relief - Pet Boarding

WagSuites
27w751 North Ave
West Chicago, IL 60185
630-219-1008
www.WagSuites.com



CONDITIONAL USE: Section: 37-1413

A. That the granting of any 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:

1. Impair an adequate supply of light and air to the adjacent property.

Property does not impact any supply of light or air to adjacent properties as the structure is existing with no changes.

2. Increase the hazard from fire or other dangers to said property

No existing fire alarm system was ever present at the location in the past. The hazard from fire has been greatly reduced with the installation of a new 24/7 monitored fire alarm system that is registered with Ducom. Fire inspection has passed from both state and local authorities.

3. Diminish the value of land and buildings in the vicinity of the proposed

Land and building has not been diminished in any way. Building was previously shut down for several years. Previous tenants failed to provide any substantial maintenance which has been addressed. Exterior has been fully painted and the vicinity has been cleaned up.

4. Unduly increase traffic congestion in the public streets and highways.

The property had access from North ave and St Charles rd. Pick up and drop-off of animals is minimal and will not create any traffic congestion.

5. Increase the potential for flood damages to adjacent property

None. The topography of the property indicates there is no flood plain issue. Location is not adding any additional structures.



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6. Incur additional public expense for fire protection, rescue or relief

None. As stated earlier, the building is now fully monitored for fire protection including the installation of a full 24/7 monitored and registered ducom fire alarm system.

7. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County, nor will it otherwise create a nuisance

Dupage County inhabitants will not be impacted by the addition of boarding to the location. As daycare and grooming has been in business for 6 months and local residents currently enjoy the businesses daycare and grooming spa. Many have stopped just to provide comments on how happy they are to see what was an eyesore now looking great and a benefit to the community.

Request to provide pet boarding Service.

DayCare and Grooming service have been successfully in service for 6 months at the location. Boarding additional services will require no substantial changes or additions to the property that is not already provided with daycare service. Business is currently licensed with Illinois state for daycare & Boarding

General Information.

1. Number of employees
1 - 5 employees (currently 2).
2. Hours of Operation
24/7 for staff and customers.
3. Number of Pets.
Boarding will be for up to 30 Pets.
4. How is waste handled
All waste is bagged and placed in a dumpster.
5. Drop off & Pickup Times
6am to 5pm typical. 24/7 hours are available.

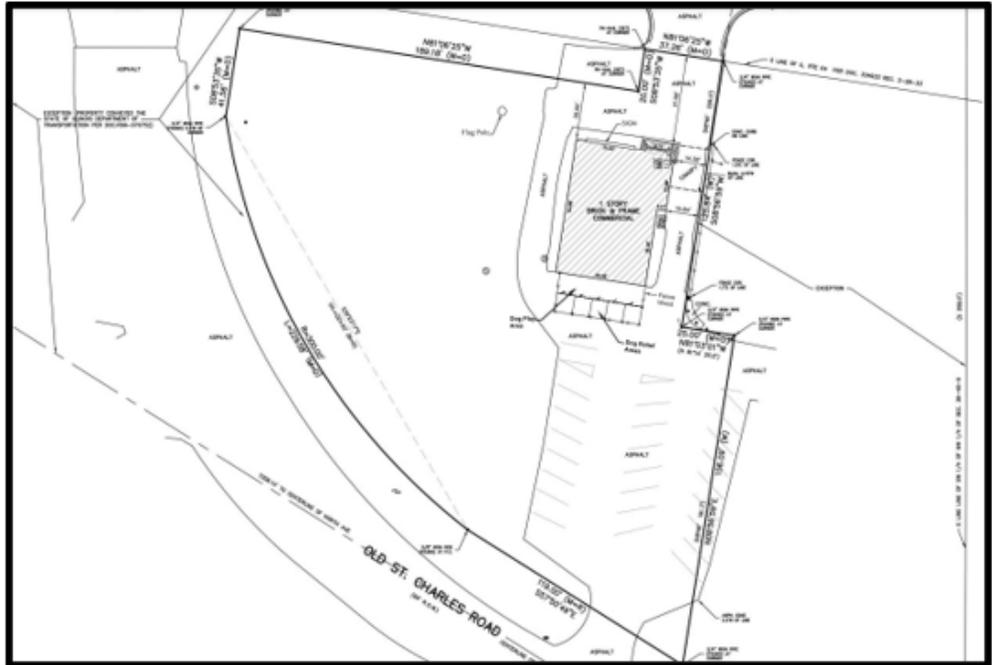


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Site Plan



Site Plan Review

1. Outside pet play
Area is located in a secure fenced area behind the building that included a man trap entrance to prevent unwanted exits. Area is cleaned on the spot and multiple times daily.
2. Outside pet relief.
Four pet relief areas are located adjacent to the outdoor pet play area. Each one is individually fenced and gated. Area is cleaned on the spot and multiple times daily.



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www.dupagecounty.gov/building

Building Division

Zoning & Planning Division

Environmental Division

3. Green energy

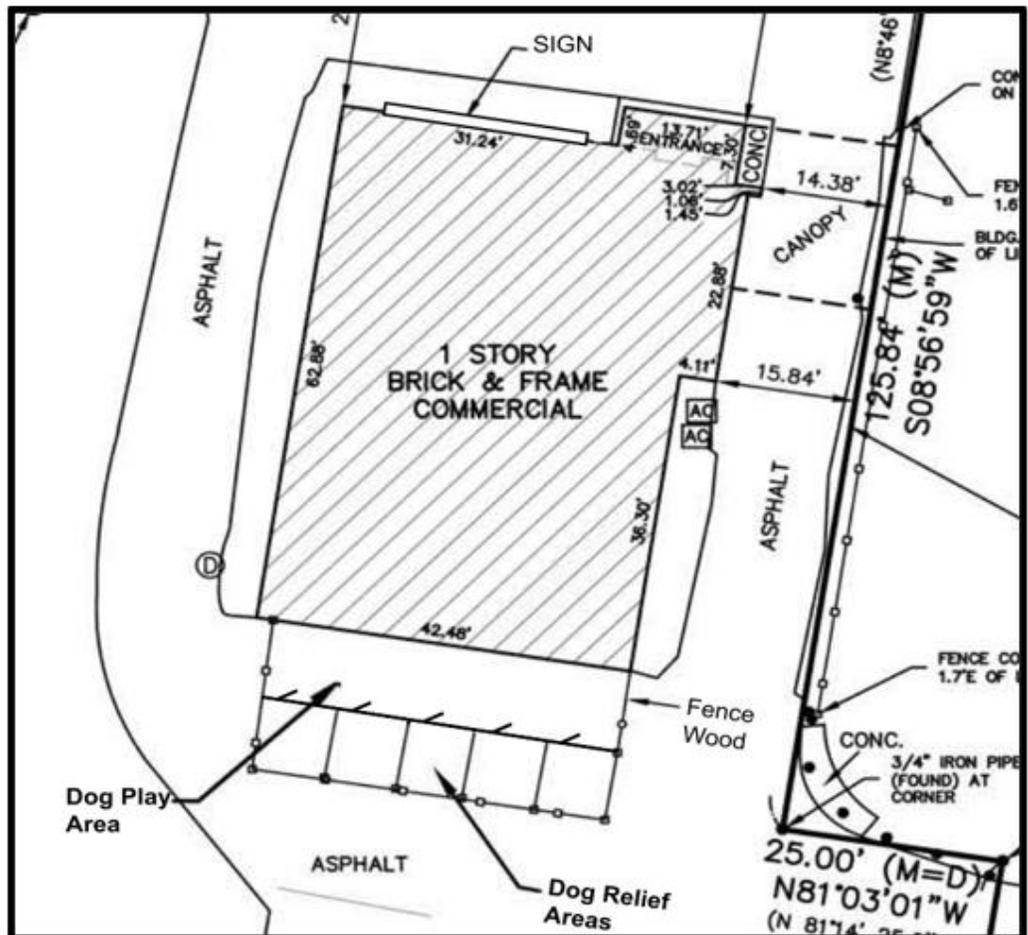
Power and Gas consumption has been reduced by 80% as compared to the previous restaurant business on location.

4. Parking

Parking has not changed and has adequate parking spaces.

5. Dumpsters

Dumpsters are located in the rear of building behind the fenced area.





DUPAGE COUNTY

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Planning Division

Environmental
Division

Illinois Department of Agriculture Licenses





DUPAGE COUNTY

Building Division

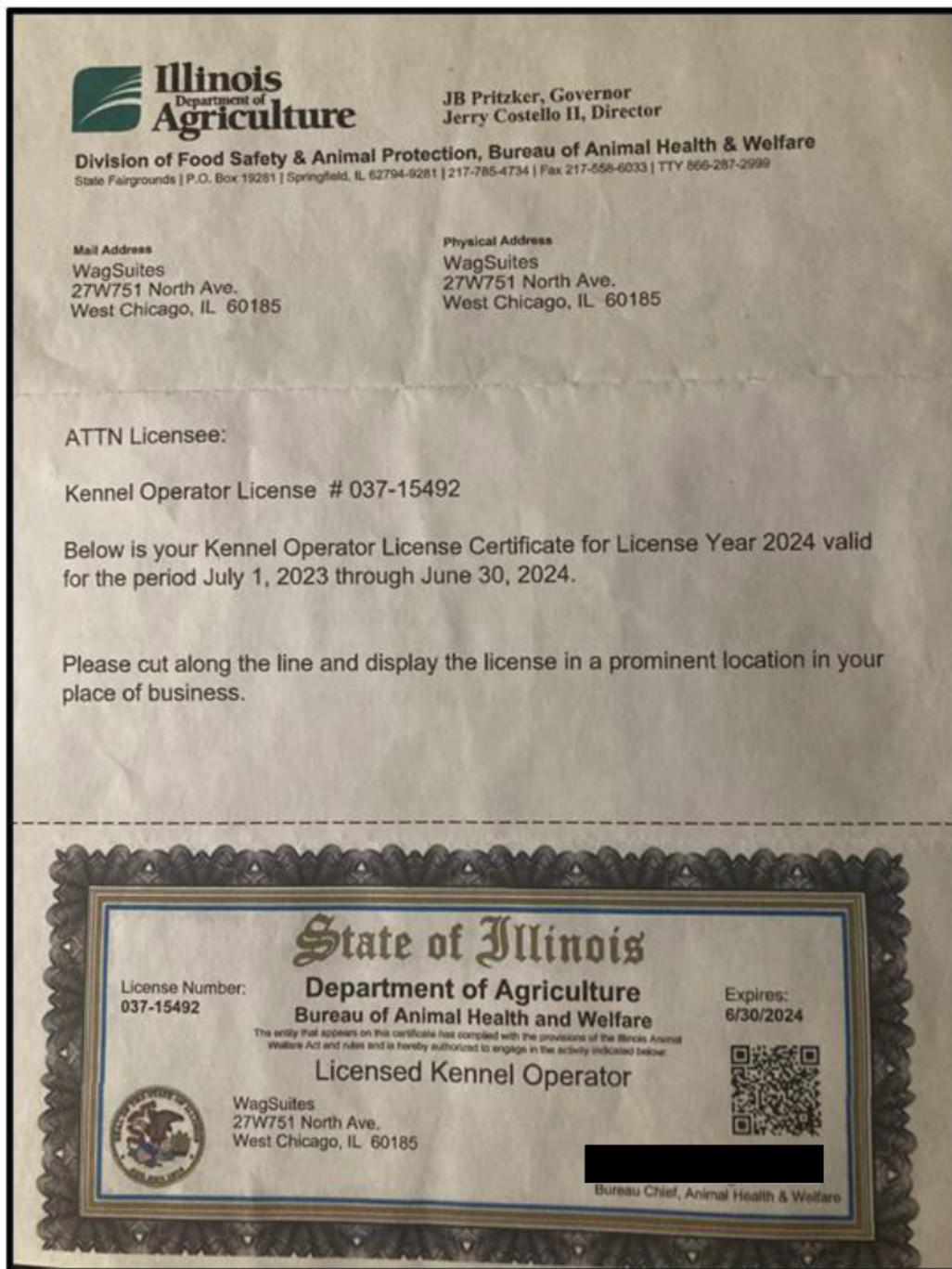
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BUILDING & ZONING DEPARTMENT

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DU PAGE COUNTY ZONING BOARD OF APPEALS
Zoning Petition ZONING-23-000090 WagSuites

Please review the information herein and return with your comments to:
Jessica Infelise, DuPage County Building and Zoning Department, 421 North County Farm Road, Wheaton, Illinois 60187; or via email at Jessica.Infelise@dupageco.org or via facsimile at 630-407-6702 by November 29, 2023.

Form with sections: COMMENT SECTION, COMMENTS, SIGNATURE, GENERAL ZONING CASE INFORMATION. Includes fields for case number, zoning request, owner, address, and hearing date.



Development Ordinance

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: DC-O-0024-24

Agenda Date: 4/16/2024

Agenda #: 6.B.



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Planning Division

Environmental
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fax: 630-407-6702

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MEMORANDUM

TO: DuPage County Development Committee
FROM: DuPage County Zoning Hearing Officer
DATE: March 13, 2024
RE: **ZONING-24-000009 Barnas (Wayne / District 6)**

DuPage County Development Committee: April 14, 2024:

Zoning Hearing Officer: March 13, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to reduce the rear yard setback for a new pool shed from required 3' to approximately 2' (replacing previous pool shed in same location).

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-24-000009 Barnas** on March 13, 2024.
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 proposed zoning relief is reduce the rear yard setback for a new pool shed from required 3' to approximately 2' (replacing previous pool shed in same location).

- B. That petitioner testified that she purchased the subject property in 2021 and the property has an existing pool and previously had a dilapidated shed/pool utility structure.
- C. That petitioner testified that she removed the previous dilapidated shed/pool utility structure and started to rebuild the shed in the same location, approximately 2' from the rear property line.
- D. That petitioner testified the pool shed is to cover the existing pool utilities and to store pool equipment and accessories.
- E. That petitioner testified that the pool shed conforms to the same angle as the existing wood deck and pool, and that because these existing structures are not perfectly square, there is a unique circumstance as only a portion/corner of the pool shed is approximately 2' from the rear yard property line.
- F. That the Zoning Hearing Officer finds that petitioner has demonstrated evidence for a unique circumstance and practical difficulty as the existing structures on the subject property (pool and deck) are not perfectly square, there is a unique circumstance as only a portion/corner of the pool shed is approximately 2' from the rear yard property line

STANDARDS FOR VARIATIONS:

**Per Zoning Code Section 37-1411.3*

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 proposed pool shed will not impair an adequate supply of light and air to the adjacent properties.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that the proposed pool shed will not increase in the hazard from fire or other dangers and that they will receive a building permit for the proposed shed.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed pool shed will not diminish the value of land and buildings throughout the County and will be an added benefit to the neighborhood.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the proposed pool shed will not unduly increase traffic congestion in

the public streets and highways as the pool shed is located completely in the rear of the subject property.

- e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the proposed pool shed will not increase the potential for flood damages to adjacent properties.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the proposed pool shed 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 proposed pool shed will be an added benefit to the neighborhood, and will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County.

PETITIONER'S DEVELOPMENT FACT SHEET

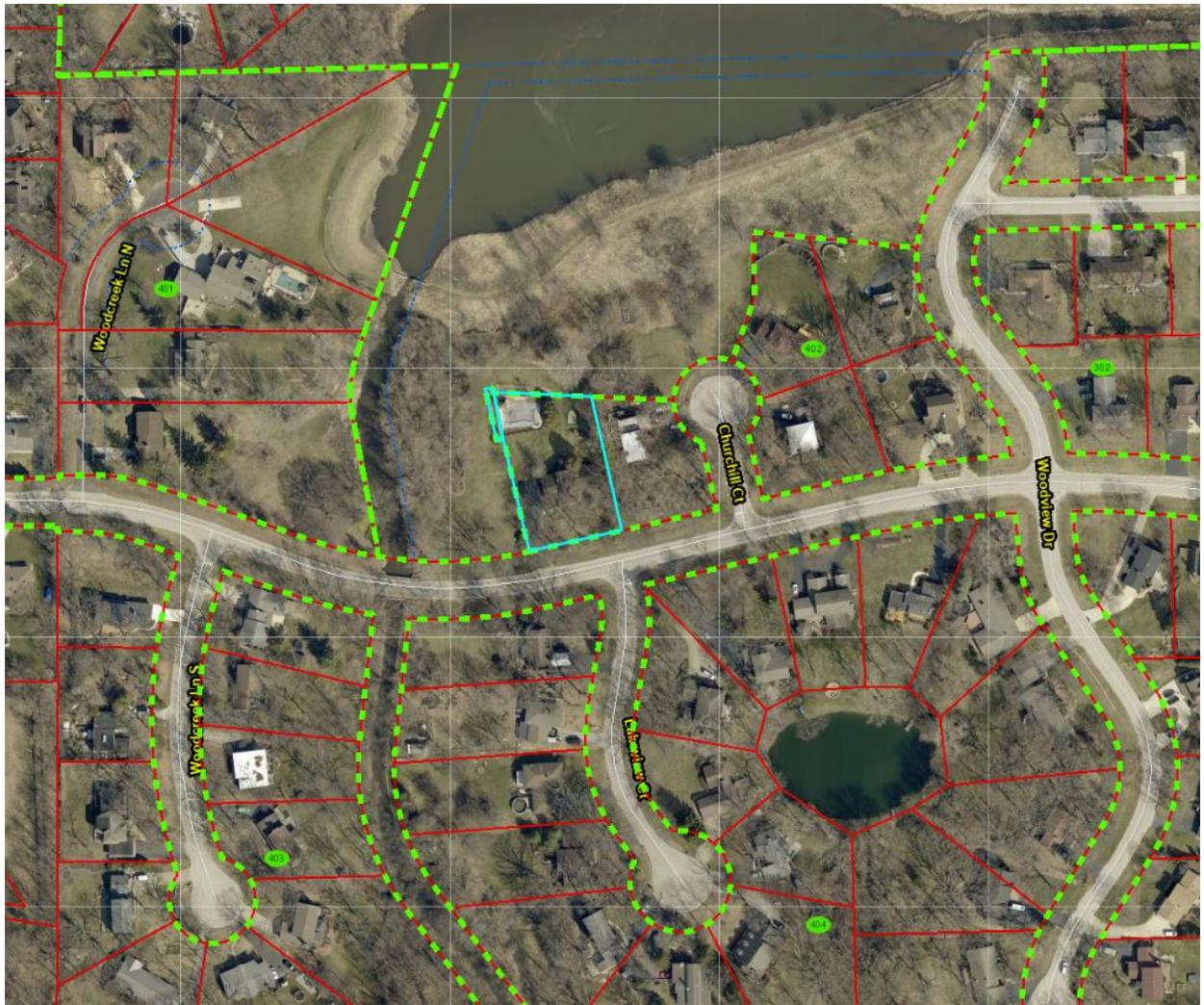
GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-24-000009 Barnas
ZONING REQUEST	Variation to reduce the rear yard setback for a new pool shed from required 3' to approximately 2' (replacing previous pool shed in same location).
OWNER	BOGUMILA BARNAS, 28W084 TIMBER LANE, WEST CHICAGO, IL 60185
ADDRESS/LOCATION	28W084 TIMBER LANE, WEST CHICAGO, IL 60185
PIN	01-26-402-002 / 01-26-402-011
TWSP./CTY. BD. DIST.	Wayne District 6
ZONING/LUP	R-3 SF RES 0-5 DU AC
AREA	0.65 ACRES (28,314 SQ. FT)
UTILITIES	WELL AND SEPTIC
PUBLICATION DATE	Daily Herald: FEBRUARY 27, 2024
PUBLIC HEARING	WEDNESDAY, MARCH 13, 2024
ADDITIONAL INFORMATION:	
Building:	No Objections.
DUDOT:	Our office has no jurisdiction in this matter.
Health:	No Objections.
Stormwater:	No Objections with the concept of the petition. Additional information may be required at time of permit application. <i>"Please be aware that the shed is situated in the regulatory floodplain. Consequently, further information will be necessary when submitting the permit application to ensure that the shed complies with the requirements for an accessory structure within the floodplain."</i>
Public Works:	Our office has no jurisdiction in this matter.
EXTERNAL:	
Village of Carol Stream:	<i>No Comments Received.</i>
City of West Chicago:	<i>No Comments Received.</i>
Village of Winfield:	<i>No Comments Received.</i>
Wayne Township:	<i>No Comments Received.</i>
Township Highway:	<i>No Comments Received.</i>
Carol Stream Fire Dist.:	No Objections with the concept of the petition. Additional information may be required at time of permit application.
Sch. Dist. 25:	No Objections.
Sch. Dist. 94:	<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 the sizable distance between the subject property and the District property, we do not have any specific comments. Thank you."

GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Int. Side Yard:	3'	APPROX. 2'	APPROX. 2'

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-3 SF RES	HOUSE	0-5 DU AC
North	R-3 SF RES	OPEN SPACE	0-5 DU AC
South	TIMBER LANE AND BEYOND R-3 SF RES	HOUSE	0-5 DU AC
East	R-3 SF RES	HOUSE	0-5 DU AC
West	R-3 SF RES	OPEN SPACE	0-5 DU AC









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BUILDING & ZONING DEPARTMENT

630-407-6700
fax: 630-407-6702

www.dupagecounty.gov/building

DU PAGE COUNTY ZONING HEARING OFFICER PROGRAM Zoning Petition ZONING-24-000009 Barnas

Please review the information herein and return with your comments to:

Jessica Infelise, DuPage County Building and Zoning Department, 421 North County Farm Road, Wheaton, Illinois 60187; or via email at Jessica.Infelise@dupagecounty.gov or via facsimile at 630-407-6702 by **March 12, 2024**.

COMMENT SECTION:	
: OUR OFFICE HAS NO JURISDICTION IN THIS MATTER	
: NO OBJECTION/CONCERNS WITH THE PETITION	
<input checked="" type="checkbox"/> : NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION. ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION	
: I OBJECT/ HAVE CONCERNS WITH THE PETITION.	
COMMENTS: Please be aware that the shed is situated in the regulatory floodplain. Consequently, further information will be necessary when submitting the permit application to ensure that the shed complies with the requirements for an accessory structure within the floodplain.	
SIGNATURE: [REDACTED] DATE: 3/11/24	
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT: DPC Stormwater Management	
GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-24-000009 Barnas
ZONING REQUEST	Variation to reduce the rear yard setback for a new pool shed from required 3' to approximately 2' (replacing previous pool shed in same location).
OWNER	BOGUMILA BARNAS, 28W084 TIMBER LANE, WEST CHICAGO, IL 60185
ADDRESS/LOCATION	28W084 TIMBER LANE, WEST CHICAGO, IL 60185
PIN	01-26-402-002 / 01-26-402-011
TWSP./CTY. BD. DIST.	Wayne District 6
ZONING/LUP	R-3 SF RES 0-5 DU AC
AREA	0.65 ACRES (28,314 SQ. FT)
UTILITIES	WELL AND SEPTIC
PUBLICATION DATE	Daily Herald: FEBRUARY 27, 2024
PUBLIC HEARING	WEDNESDAY, MARCH 13, 2024

PLEASE NOTE: FILING OF THIS FORM DOES NOT SUBSTITUTE FOR A FORMAL OBJECTION PURSUANT TO THE ILLINOIS STATE STATUTES.

1

Jack T. Knuepfer Administration Building, 421 N. County Farm Road, Wheaton, Illinois 60187



Development Ordinance

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: DC-O-0025-24

Agenda Date: 4/16/2024

Agenda #: 6.C.



**DUPAGE
COUNTY**

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Planning Division

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BUILDING & ZONING DEPARTMENT

630-407-6700
fax: 630-407-6702

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MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Hearing Officer

DATE: March 13, 2024

RE: **ZONING-24-000010 CHICAGO TITLE TR800239101
(Winfield / District 6)**

DuPage County Development Committee: April 16, 2024:

Zoning Hearing Officer: March 13, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

Conditional Use for a Principal Recreational Use in the R-2 Zoning District to allow for a 2,112 square foot timber frame barn with horse stables to be built for the owner's horses.

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-24-000010 CHICAGO TITLE TR800239101** dated March 13, 2024.
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 Conditional Use shall inure only to the owner, CHICAGO TITLE TR800239101 and/or ERIC HEZINGER, and shall terminate in the event that the owner, or any entity owned or controlled by CHICAGO TITLE TR800239101 and/or ERIC HEZINGER discontinues operation of the subject Conditional Use on the subject property.
4. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
5. That petitioner maintains the existing landscaping around the perimeter of the subject property.
6. 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 proposed zoning relief is to allow a Conditional Use for a Principal Recreational Use in the R-2 Zoning District to allow for a 2,112 square foot timber frame barn with horse stables to be built for the owner's horses.
- B. That petitioner testified that he currently lives five (5) minutes away and that the subject property would be used to store and exercise his four (4) personal horses until he is able to build a house on the subject property.
- C. That petitioner testified the subject area is surrounded by Galusha Farm and is an equestrian area.
- D. That petitioner testified that he plans to build a house on the subject property and that until the home is completed, the subject property will be principally used as a recreational use to store petitioner's personal horses in a horse stable that he will visit daily.
- E. That Hearing Officer finds that petitioner has demonstrated that the subject zoning relief to allow a Conditional Use for a Principal Recreational Use in the R-2 Zoning District to allow for a 2,112 square foot timber frame barn with horse stables to be built for the owner's horses will not have any impact on adjacent properties and roadways, will not impact on drainage, and will 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:

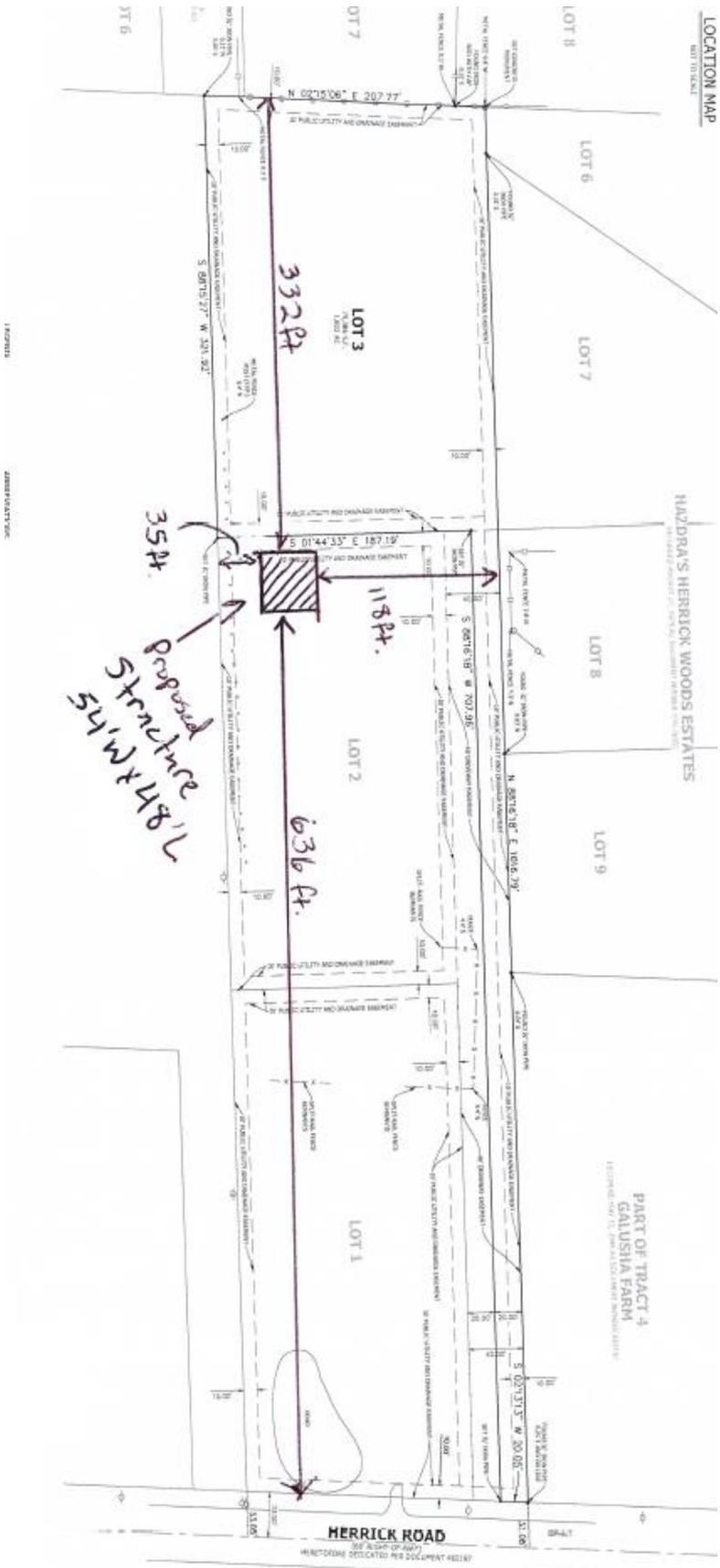
- a. Impair an adequate supply of light and air to the adjacent property as petitioner **has demonstrated** that the proposed recreational use will not impact or impair the supply of light and air to adjacent properties.
- b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that they will receive a building permit from the County for the proposed horse stable and that it will be constructed 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 proposed recreational use 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 proposed recreational use will not unduly increase traffic congestion in the public streets and highways as the proposed recreational use and horses will be for the personal use of the property owner.
- 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 proposed recreational use.
- 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 proposed recreational use.
- g. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County as petitioner **has demonstrated** that the proposed recreational use will 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.

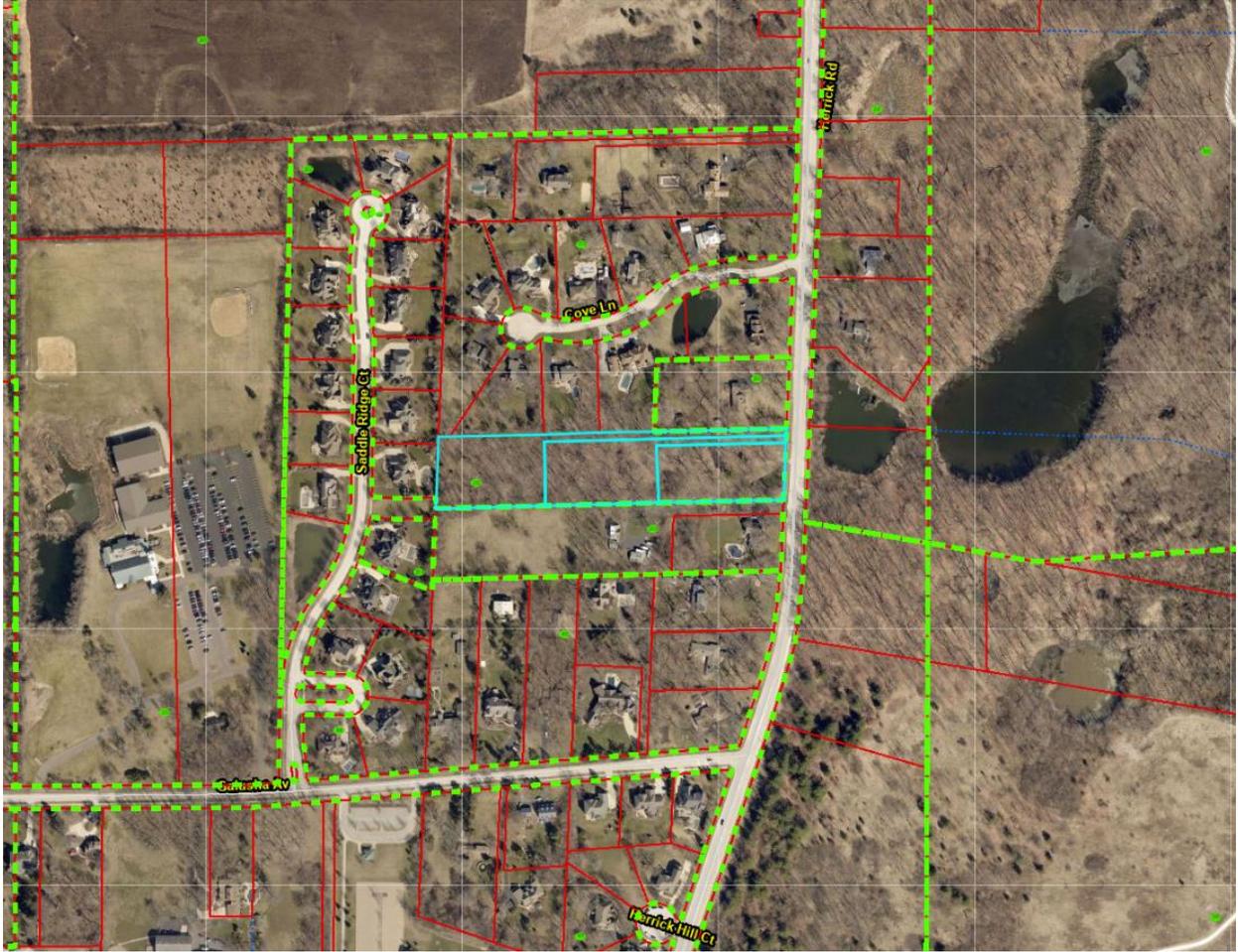
PETITIONER'S DEVELOPMENT FACT SHEET

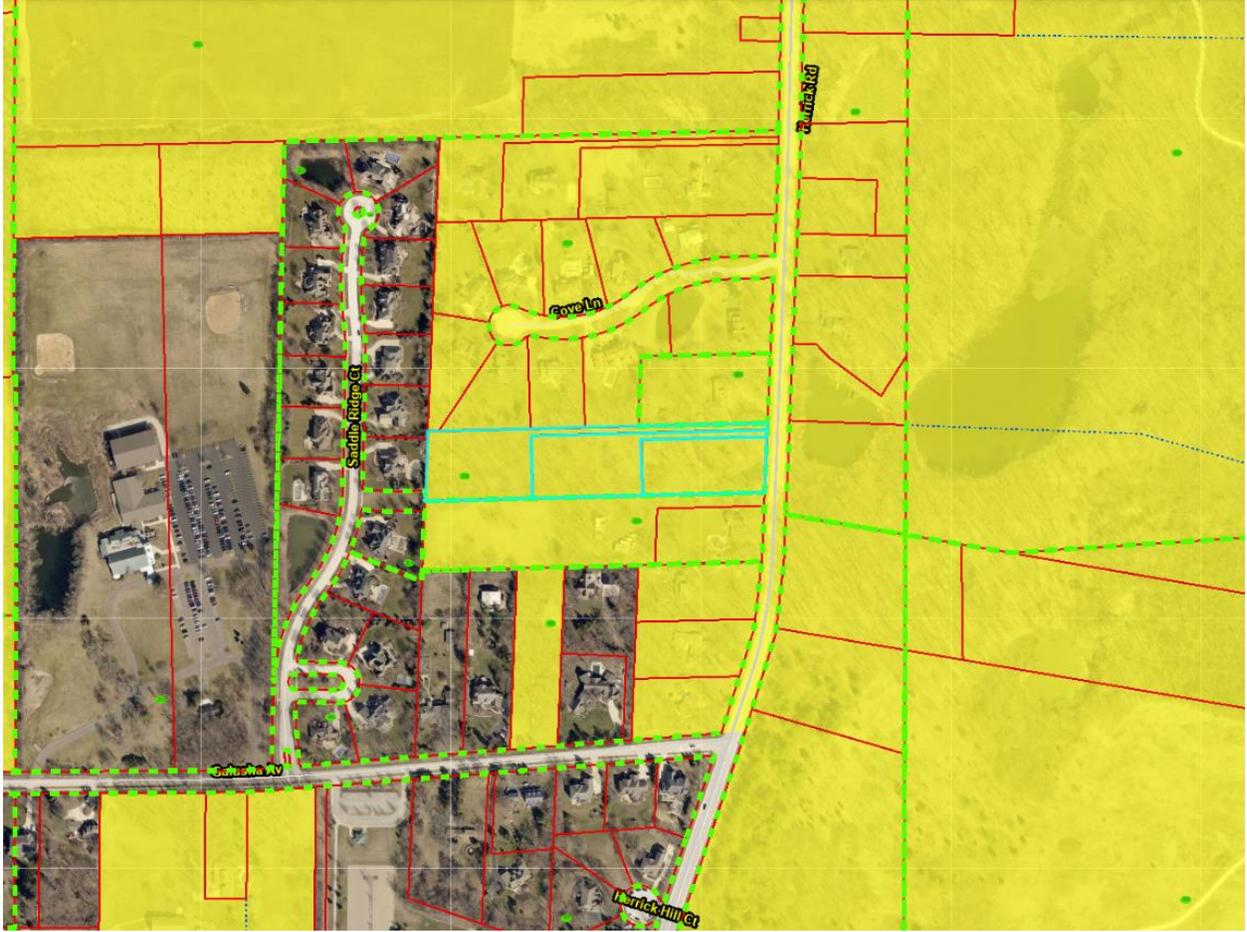
GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-24-000010 CHICAGO TITLE TR800239101
ZONING REQUEST	Conditional Use for a Principal Recreational Use in the R-2 Zoning District to allow for a 2,112 square foot timber frame barn with horse stables to be built for the owner's horses.
OWNER	CHICAGO TITLE TR800239101, 3S346 HERRICK ROAD, WARRENVILLE, IL 60555 / CHICAGO TITLE TR800239101, 22W320 GLEN VALLEY DRIVE, GLEN ELLYN, IL 60137
ADDRESS/LOCATION	3S346 HERRICK ROAD, WARRENVILLE, IL 60555
PIN	04-36-202-030 / 04-36-202-029 / 04-36-202-031
TWSP./CTY. BD. DIST.	WINFIELD DISTRICT 6
ZONING/LUP	R-2 SF RES 0-5 DU AC
AREA	4.8 ACRES (210,525 SQ. FT.)
UTILITIES	WELL / SEPTIC
PUBLICATION DATE	Daily Herald: FEBRUARY 27, 2024
PUBLIC HEARING	WEDNESDAY, MARCH 13, 2024
ADDITIONAL INFORMATION:	
Building:	No Objections.
DUDOT:	<i>No Comments Received.</i>
Health:	No Objections.
Stormwater:	No Objection with the concept of the petition. Additional information may be required at time of permit application.
Public Works:	Our office has no jurisdiction in this matter.
EXTERNAL:	
City of Warrenville:	<i>No Comments Received.</i>
City of Naperville:	<i>No Comments Received.</i>
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.
Warrenville 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 the sizable distance between the subject property and the District property, we do not have any specific comments. Thank you."

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-2 SF RES	VACANT	0-5 DU AC
North	R-2 SF RES	HOUSE	0-5 DU AC
South	R-2 SF RES	HOUSE	0-5 DU AC
East	HERRICK DRIVE AND BEYOND R-2 SF RES	HOUSE	0-5 DU AC
West	VILLAGE OF WARRENVILLE	HOUSE	VILLAGE OF WARRENVILLE









Development Ordinance

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: DC-O-0026-24

Agenda Date: 4/16/2024

Agenda #: 6.D.



**DUPAGE
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Planning Division

Environmental
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BUILDING & ZONING DEPARTMENT

630-407-6700
fax: 630-407-6702

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Hearing Officer

DATE: April 3, 2024

RE: **ZONING-24-000012 Mobil – Glen Ellyn
(Milton / District 4)**

DuPage County Development Committee: April 16, 2024:

Zoning Hearing Officer: April 3, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

1. Variation to reduce the corner side setback for a relocated sign from required 15' setback to approximately 3.1 feet, due to IDOT R.O.W. taking.
2. Variation to reduce the rear yard setback for a relocated sign from required 20' setback to approximately 2.7 feet, due to IDOT R.O.W. taking.

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-24-000012 Mobil – Glen Ellyn** dated April 3, 2024.
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 to allow petitioner to relocate a sign on the subject property due an IDOT right-of-way (ROW) taking.
- B. That petitioner testified that the subject property is losing approximately 1/10th of an acre due to a ROW taking at Route 53/Route 56 for additional traffic lanes and sidewalks.
- C. That petitioner testified that the sign will be relocated on top of the existing trash enclosure.
- D. That petitioner testified that there is no alternative location for the relocated sign.
- E. Furthermore, that the Hearing Officer finds that petitioner has demonstrated evidence for a practical difficulty and particular hardship due to the IDOT ROW taking on the subject property, and that the taking therefore requires petitioner to request a Variation to reduce the corner side setback for a relocated sign from required 15' setback to approximately 3.1 feet, and a Variation to reduce the rear yard setback for a relocated sign from required 20' setback to approximately 2.7 feet, due to IDOT R.O.W. taking.

STANDARDS FOR VARIATIONS:

**Per Zoning Code Section 37-1411.3*

- 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 proposed sign will not impair an adequate supply of light and air to the adjacent properties.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that the proposed sign will not increase in the hazard from fire or other dangers and that they will receive a building permit for the proposed sign.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed sign will not diminish the value of land and buildings throughout the County and will be an added benefit to the neighborhood.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the proposed sign will not unduly 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 proposed sign will not increase the potential for flood damages to adjacent properties.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the proposed sign 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 proposed sign will be an added benefit to the neighborhood, and will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-24-000012 Mobil – Glen Ellyn	
ZONING REQUEST	1. Variation to reduce the corner side setback for a relocated sign from required 15' setback to approximately 3.1 feet, due to IDOT R.O.W. taking. 2. Variation to reduce the rear yard setback for a relocated sign from required 20' setback to approximately 2.7 feet, due to IDOT R.O.W. taking.	
OWNER	I K I REAL ESTATE, LLC., 22W070 BUTTERFIELD ROAD, GLEN ELLYN, IL 60137-7160 / AGENT: KEN PRICE, WEAVER CONSULTANTS GROUP, 1316 BOND STREET, SUITE 108, NAPERVILLE, IL 60563	
ADDRESS/LOCATION	22W070 BUTTERFIELD ROAD, GLEN ELLYN, IL 60137-7160	
PIN	05-26-400-041	
TWSP./CTY. BD. DIST.	MILTON	DISTRICT 4
ZONING/LUP	B-1 LOCAL BUSINESS	LOCAL COMMERCIAL
AREA	0.62 ACRES (27,007 SQ. FT.)	
UTILITIES	WATER AND SEWER	
PUBLICATION DATE	Daily Herald: MARCH 15, 2024	
PUBLIC HEARING	WEDNESDAY, APRIL 3, 2024	
<u>ADDITIONAL INFORMATION:</u>		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	Our office has no jurisdiction in this matter.	
Stormwater:	No Objections.	
Public Works:	Our office has no jurisdiction in this matter.	
<u>EXTERNAL:</u>		
Village of Glen Ellyn:	<i>No Comments Received.</i>	
Village of Lombard:	<i>No Comments Received.</i>	
Village of Downers Grove:	"The Village of Downers Grove has no comments."	
City of Wheaton:	<i>No Comments Received.</i>	
Milton Township:	<i>No Comments Received.</i>	
Township Highway:	No Objections with the concept of the petition. Additional information may be required at time of permit application.	
Lisle-Woodridge Fire Dist.:	"N/A"	
Sch. Dist. 87:	<i>No Comments Received.</i>	
Sch. Dist. 89:	<i>No Comments Received.</i>	

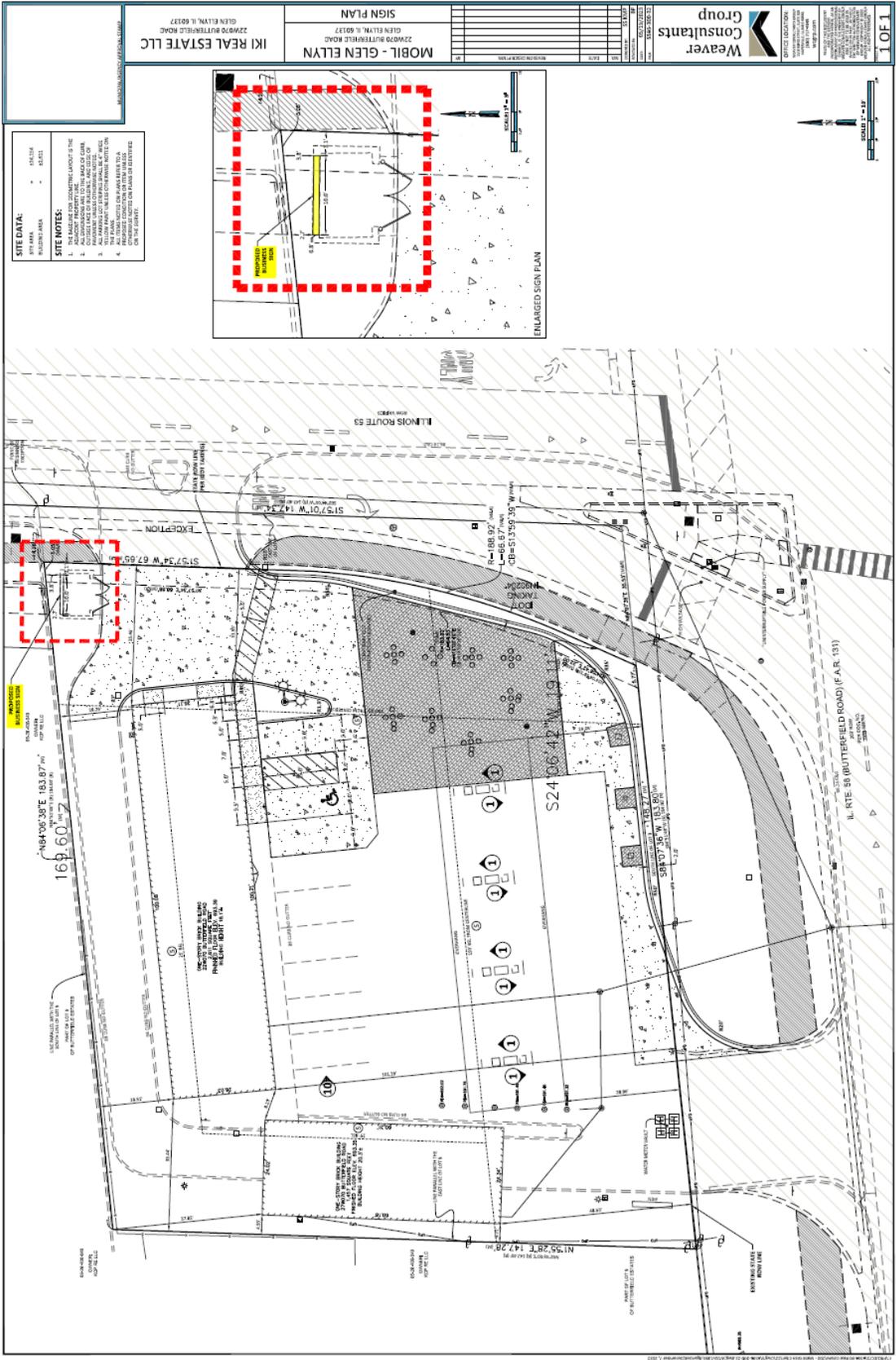
Forest Preserve:	“The Forest Preserve District of DuPage County staff has reviewed the information provided in this notice and due to the sizable distance between the subject property and District property, we do not have any specific comments. Thank you.”
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GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Corner Side Yard:	15'	APPROX 5'	APPROX. 3.1'
Rear Yard:	20'	APPROX. 10'	APPROX. 2.7'

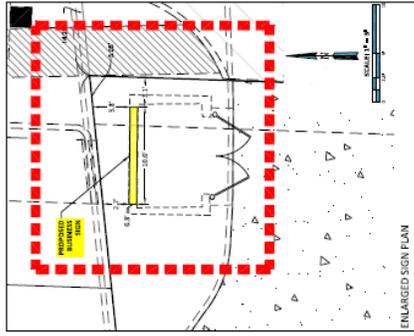
LAND USE

Location	Zoning	Existing Use	LUP
Subject	B-1 LOCAL BUSINESS	GAS STATION	LOCAL COMMERCIAL
North	R-3 SF RES	DAY CARE	LOCAL COMMERCIAL
South	BUTTERFIELD ROAD AND BEYOND B-1 LOCAL BUSINESS	GAS STATION	LOCAL COMMERCIAL
East	ROUTE 53 AND BEYOND B-1 LOCAL BUSINESS	PARK DISTRICT	LOCAL COMMERCIAL
West	R-3 SF RES	DAY CARE	LOCAL COMMERCIAL



SITE DATA:
 SPT MARK: * EXISTING
 FIELD MARK: - EXISTING

SITE NOTES:
 1. THE NUMBER FOR DOCUMENTING LAYOUT IS THE NUMBER OF SHEETS.
 2. ALL DISTANCES ARE TO THE CENTER OF ROAD UNLESS NOTED OTHERWISE.
 3. ALL DISTANCES ARE TO THE CENTER OF ROAD UNLESS NOTED OTHERWISE.
 4. PROPOSED SIGN LOCATION AND SIZE SHALL BE AS SHOWN ON THESE PLANS UNLESS NOTED OTHERWISE ON THE SHEETS.



MOBIL - GLEN ELLYN
 224070 BUTTERFIELD ROAD
 GLEN ELLYN, IL 60137

SIgn PLAN

Weaver Consultants Group

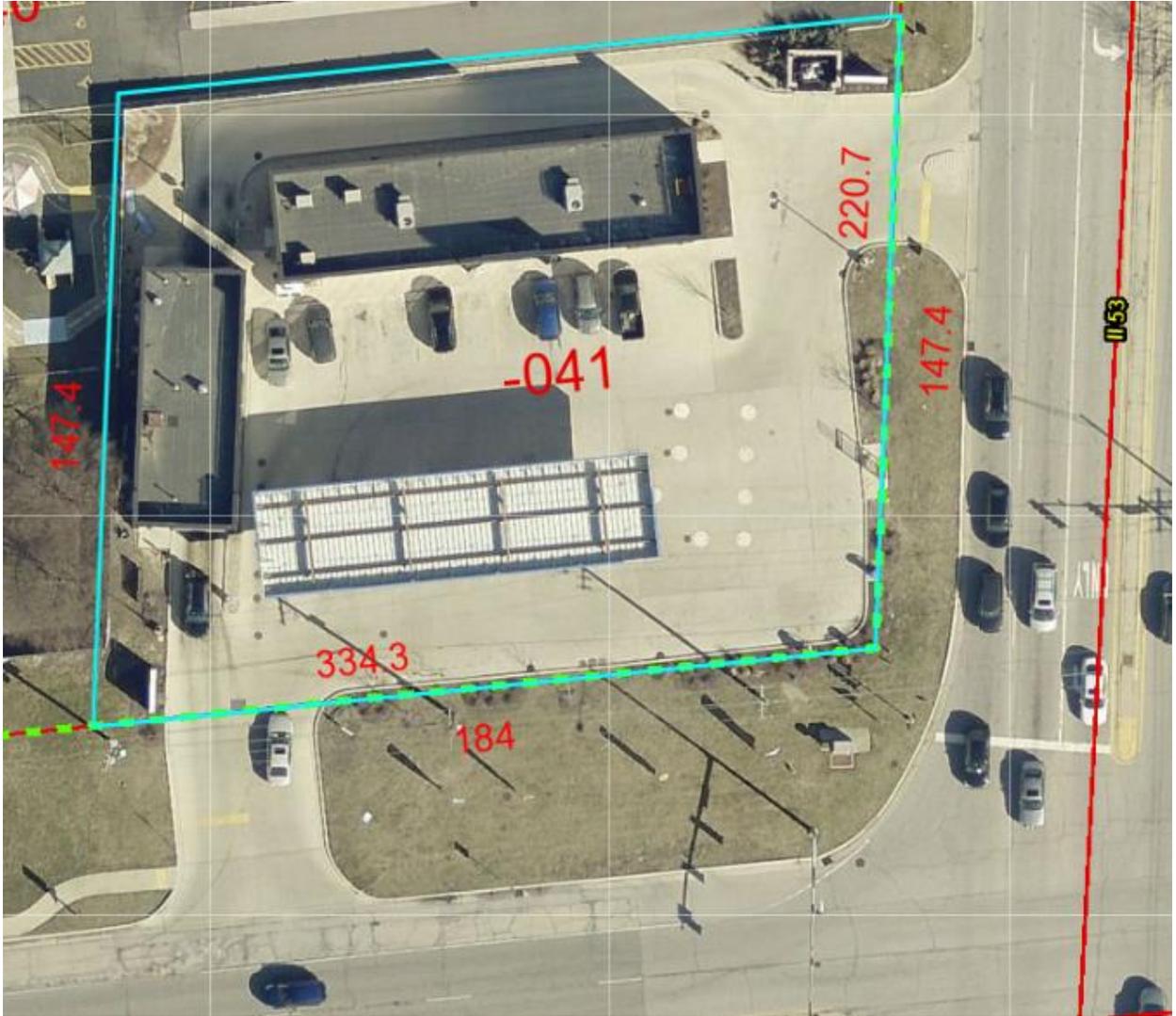
OFFICE LOCATION:
 224070 BUTTERFIELD ROAD
 GLEN ELLYN, IL 60137
 TEL: 630.253.1200
 FAX: 630.253.1201
 WWW.WEAVERCONSULTANTS.COM

DATE: 08/11/2011
 DRAWN BY: JLD
 CHECKED BY: JLD
 PROJECT NO: 11080001

1 OF 1









Development Ordinance

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: DC-O-0027-24

Agenda Date: 4/16/2024

Agenda #: 6.E.



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

630-407-6700
fax: 630-407-6702

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Hearing Officer

DATE: March 13, 2024

RE: **ZONING-24-000013 CTLTC #8002391179**
(Downers Grove / District 3)

DuPage County Development Committee: April 16, 2024:

Zoning Hearing Officer: March 13, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

Conditional Use to reduce the interior setback of an existing fence from 3” to approximately 0” for an existing fence post on the property line.

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-24-000013 CTLTC #8002391179** dated March 13, 2024.
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.

ZHO Recommendation to Approve

FINDINGS OF FACT:

- A. That petitioner testified that the subject zoning relief is to allow an existing fence from 3” to approximately 0” for an existing fence post on the property line.
- B. That petitioner originally applied for a Variation for the subject zoning relief, and that the request was converted to a Conditional use at the public hearing, as a Conditional Use is lesser zoning relief than a Variation, and that conditions can therefore be placed on the subject fence to mitigate any future impacts on adjacent properties.
- C. That petitioner testified that he purchased the subject property less than one (1) year ago, and that petitioner installed the composite fence to the property line, as he was required to fully enclose the backyard due to a small breed dog that their family adopted.
- D. That petitioner testified that a fence that is approximately 0” from the property line is for security purposes of the subject property and to prevent wild animals entering the property with their small dog.
- E. That petitioner testified that their adjacent neighbor submitted a signed letter that they do not have any objections to the subject fence.
- F. That Hearing Officer finds that petitioner has demonstrated that subject zoning relief to reduce the interior setback of an existing fence from 3” to approximately 0” for an existing fence post on the property line 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.

STANDARDS FOR VARIATIONS:

**Per Zoning Code Section 37-1411.3*

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 impair an adequate supply of light and air to the adjacent properties.
- b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that the existing fence does not increase in the hazard from fire or other dangers.
- c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the existing fence does not diminish the value of land and buildings throughout the County and is an added benefit to the neighborhood.
- d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the existing fence does not unduly increase traffic congestion in the public streets and highways and is located behind the front wall of the house.
- e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the existing fence does not increase the potential for flood damages to adjacent properties.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the existing fence 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 fence is an added benefit to the neighborhood, and will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County.

PETITIONER'S DEVELOPMENT FACT SHEET

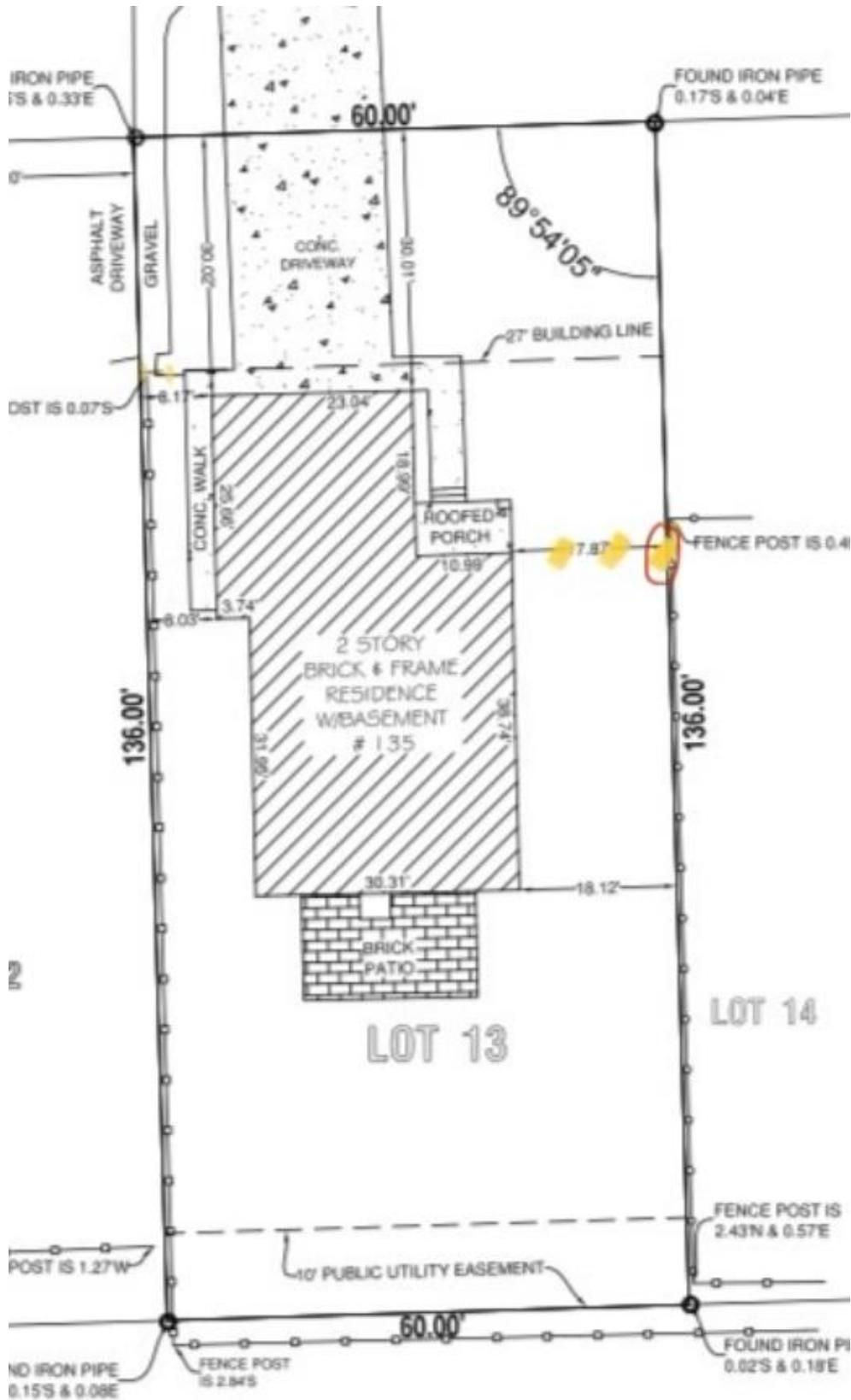
GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-24-000013 CTLTC #8002391179
ZONING REQUEST	Variation to reduce the interior setback of an existing fence from 3” to approximately 0” for an existing fence post on the property line.
OWNER	CTLTC #8002391179, 146 MEADOW COURT, WILLOWBROOK, IL 60527
ADDRESS/LOCATION	146 MEADOW COURT, WILLOWBROOK, IL 60527
PIN	09-35-113-002
TWSP./CTY. BD. DIST.	DOWNERS GROVE DISTRICT 3
ZONING/LUP	R-4 SF RES 0-5 DU AC
AREA	0.19 ACRES (8,276 SQ. FT.)
UTILITIES	WATER / SEWER
PUBLICATION DATE	Daily Herald: FEBRUARY 27, 2024
PUBLIC HEARING	WEDNESDAY, MARCH 13, 2024
ADDITIONAL INFORMATION:	
Building:	No Objections.
DUDOT:	Our office has no jurisdiction in this matter.
Health:	Our office has no jurisdiction in this matter.
Stormwater:	No Objections.
Public Works:	No Objections. “We are the sewer and water provider for the area – but this project does not impact our systems.”
EXTERNAL:	
City of Darien:	No Objections.
Village of Burr Ridge:	<i>No Comments Received.</i>
Village of Willowbrook:	<i>No Comments Received.</i>
Downers Grove Township:	<i>No Comments Received.</i>
Township Highway:	No Objections.
Tri-State Fire Dist.:	No Objections.
Sch. Dist. 62:	<i>No Comments Received.</i>
Sch. Dist. 86:	<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 the sizable distance between the subject property and the District property, we do not have any specific comments. Thank you.”

GENERAL BULK REQUIREMENTS:

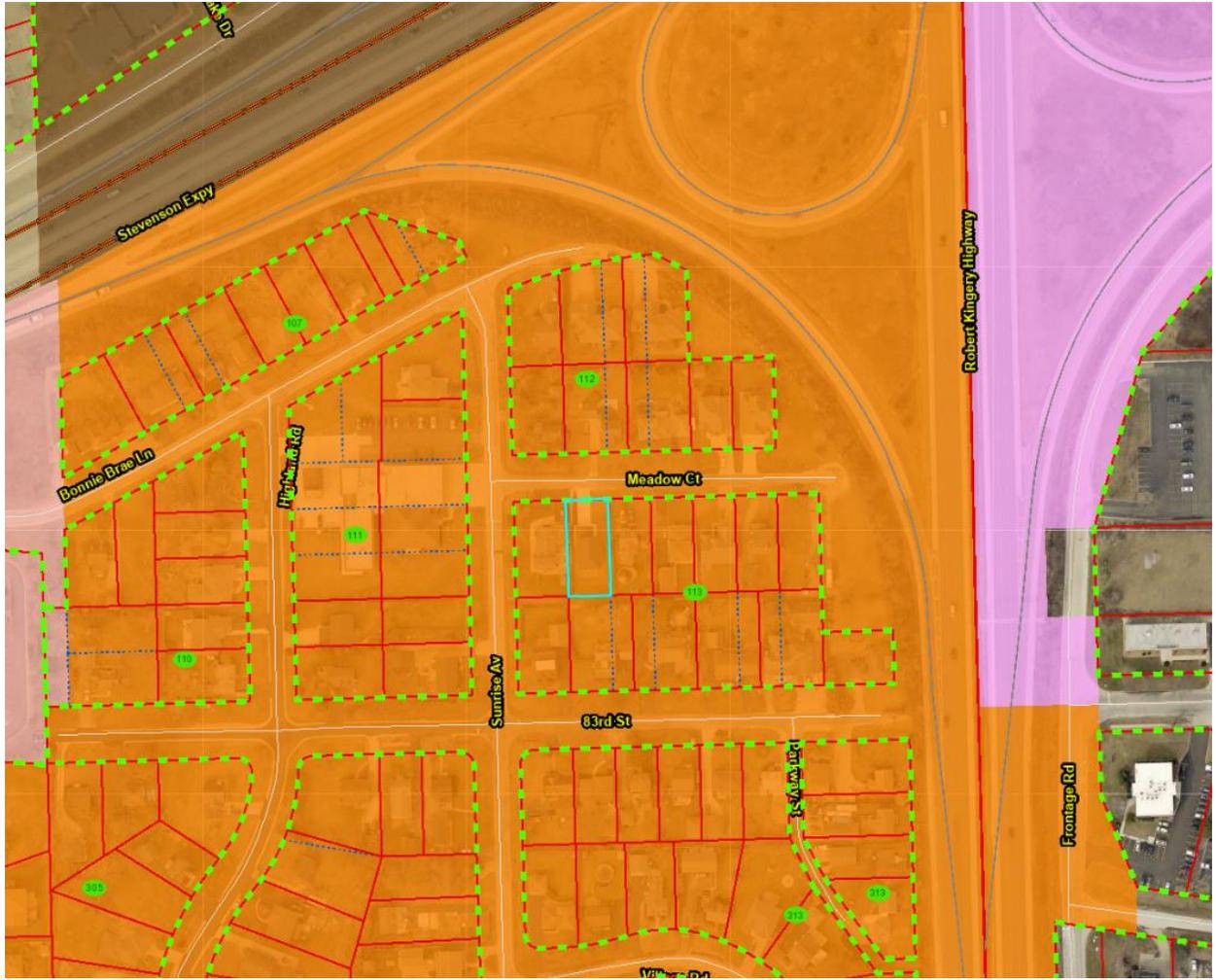
REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Int. Side Yard:	3''	APPROX 0''	APPROX 0''

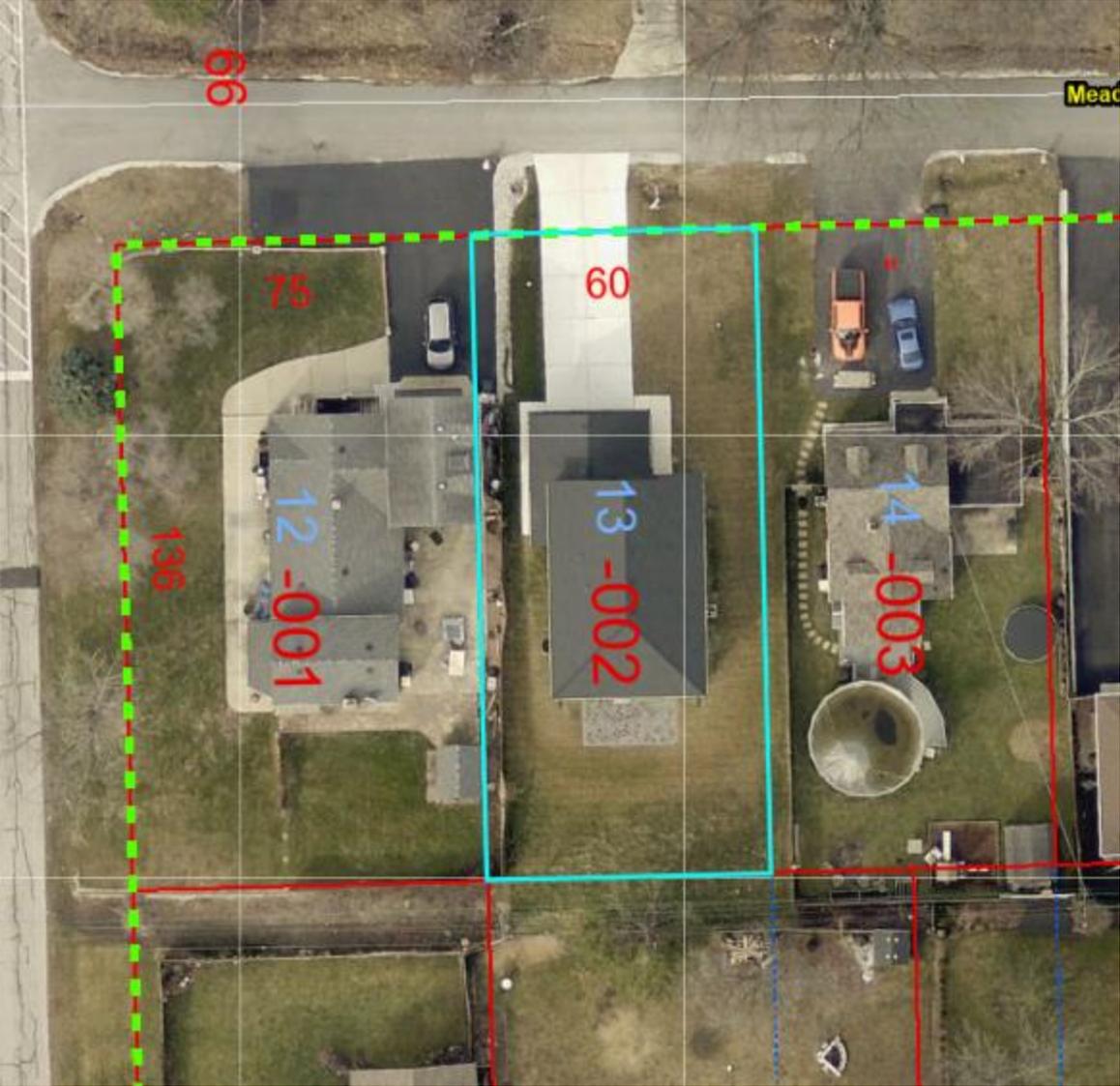
LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	HOUSE	0-5 DU AC
North	MEADOW COURT AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
South	R-4 SF RES	HOUSE	0-5 DU AC
East	R-4 SF RES	HOUSE	0-5 DU AC
West	R-4 SF RES	HOUSE	0-5 DU AC









February 7, 2024

Du Page County Zoning Board of Appeals
421 North County Farm Road
Wheaton, IL 60187

Dear members of the Du Page Zoning Board of Appeals:

My name is Miriam Paz, and I am respectfully submitting this letter to seek a fence variance for my single-family home located at 146 Meadow Ct. Willowbrook, IL 60527. My property is next door and west of my neighbor, Mr. Skirmantas Sabas who resides at 136 Meadow Ct. Willowbrook, IL 60527.

I have taken the liberty to discuss this request with Mr. Sabas who has not objected to my zoning variance request and provided me the attached letter of support indicating he has no objection to the request of the fence being less than the current zoning requirements of having a minimum of three-inches between property lines. Due to Mr. Sabas having a small breed dog as well as my intention of also adopting a small breed dog it would allow both fenced in yards to be more secure and less likely for either pet to get out between the fences.

I hope that you agree that my request would provide additional security for our pets, does not pose any hazards and would be aesthetically pleasing. Should you have any questions please feel free to contact me at [REDACTED]. Thank you for your thoughtful consideration to this request.

Respectfully yours,

[REDACTED]
Miriam Paz
146 Meadow Court
Willowbrook, IL 60657







February 7, 2024

Du Page County Zoning Board of Appeals
421 North County Farm Road
Wheaton, IL 60187

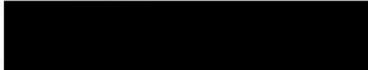
Dear members of the Du Page Zoning Board of Appeals:

My name is Skirmantas Sabas and I reside at 136 Meadow Ct. Willowbrook, IL 60527. My property is directly east and next door to Mrs. Miriam Paz's residence located at 146 Meadow Ct. Willowbrook, IL 60527.

I am providing this letter in support of her request for a zoning variance and do not object to the request of it being within the three-inch minimum county requirement between property lines. Due to my family having a very small breed dog and due to Mrs. Paz anticipating adopting a small breed dog it would benefit us both greatly not to have any gaps in between our fences.

Therefore, I do not have an issue with her fence post abutting my fence post to prevent both pets from being able to squeeze out through the narrow opening and it does not pose any hazard and looks aesthetically good.

Sincerely,

A solid black rectangular box redacting the signature of Skirmantas Sabas.

Skirmantas Sabas
136 Meadow Court
Willowbrook, IL 60657



Development Ordinance

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: DC-O-0028-24

Agenda Date: 4/16/2024

Agenda #: 6.F.



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

630-407-6700
fax: 630-407-6702

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Development Committee

FROM: DuPage County Zoning Hearing Officer

DATE: March 13, 2024

RE: **ZONING-24-000015 Weiss (Downers Grove / District 3)**

Development Committee: April 16, 2024:

Zoning Hearing Officer: March 13, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

Conditional Use to allow existing shed to remain less than 10' from the west property line (approximately 2') where it has existed for at least 5 years (extension of previously approved zoning relief Z15-006 Weiss).

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-24-000015 Weiss** dated March 13, 2024.
2. That the Conditional Use zoning relief shall expire after five (5) 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.

ZHO Recommendation to Approve

FINDINGS OF FACT:

- A. That petitioner testified that the subject zoning relief is to allow an existing shed to remain less than 10' from the west property line (approximately 2') where it has existed for at least 5 years (extension of previously approved zoning relief Z15-006 Weiss).
- B. That petitioner testified that he has lived at the subject property for approximately thirty-four (34) years and that he previously received zoning relief for the subject shed to allow it to remain on the property for ten (10) years with Z15-006 Weiss.
- C. That petitioner testified that the shed is made of wood.
- D. That petitioner testified that the shed is used to store deck furniture and gardening equipment.
- E. That Hearing Officer finds that petitioner has demonstrated that subject zoning relief to allow an existing shed to remain less than 10' from the west property line (approximately 2') where it has existed for at least 5 years (extension of previously approved zoning relief Z15-006 Weiss), 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.

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 buildings throughout the County.
- 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-24-000015 Weiss	
ZONING REQUEST	Conditional Use to allow existing shed to remain less than 10' from the west property line (approximately 2') where it has existed for at least 5 years (extension of previously approved zoning relief Z15-006 Weiss).	
OWNER	MARSHA J.B. WEISS LIVING TRUST, 764 86 TH PLACE DOWNERS GROVE, IL 60516 / AGENT: MARK WEISS, 764 86 TH PLACE DOWNERS GROVE, IL 60516	
ADDRESS/LOCATION	764 86 TH PLACE DOWNERS GROVE, IL 60516	
PIN	09-32-402-012	
TWSP./CTY. BD. DIST.	DOWNERS GROVE	DISTRICT 3
ZONING/LUP	R-3 SF RES	0-5 DU AC
AREA	0.67 ACRES (29,185 SQ. FT.)	
UTILITIES	WELL / SEWER	
PUBLICATION DATE	Daily Herald: FEBRUARY 27, 2024	
PUBLIC HEARING	WEDNESDAY, MARCH 13, 2024	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	No Objections.	
Stormwater:	No Objections.	
Public Works:	No Objections. "We are the sanitary sewer provider for the area."	
EXTERNAL:		
City of Darien:	No Objections.	
Village of Woodridge:	<i>No Comments Received.</i>	
Village of Downers Grove:	"The Village of Downers Grove has no comments."	
City of Lemont:	<i>No Comments Received.</i>	
Downers Grove Township:	<i>No Comments Received.</i>	
Township Highway:	<i>No Comments Received.</i>	
Darien-Woodridge Fire Dist.:	<i>No Comments Received.</i>	
Sch. Dist. 66:	<i>No Comments Received.</i>	
Sch. Dist. 99:		
Forest Preserve:	"The Forest Preserve District of DuPage County staff has reviewed the information provided in this notice and due the sizable distance between the subject property and the District property, we do not have any specific comments. Thank you."	

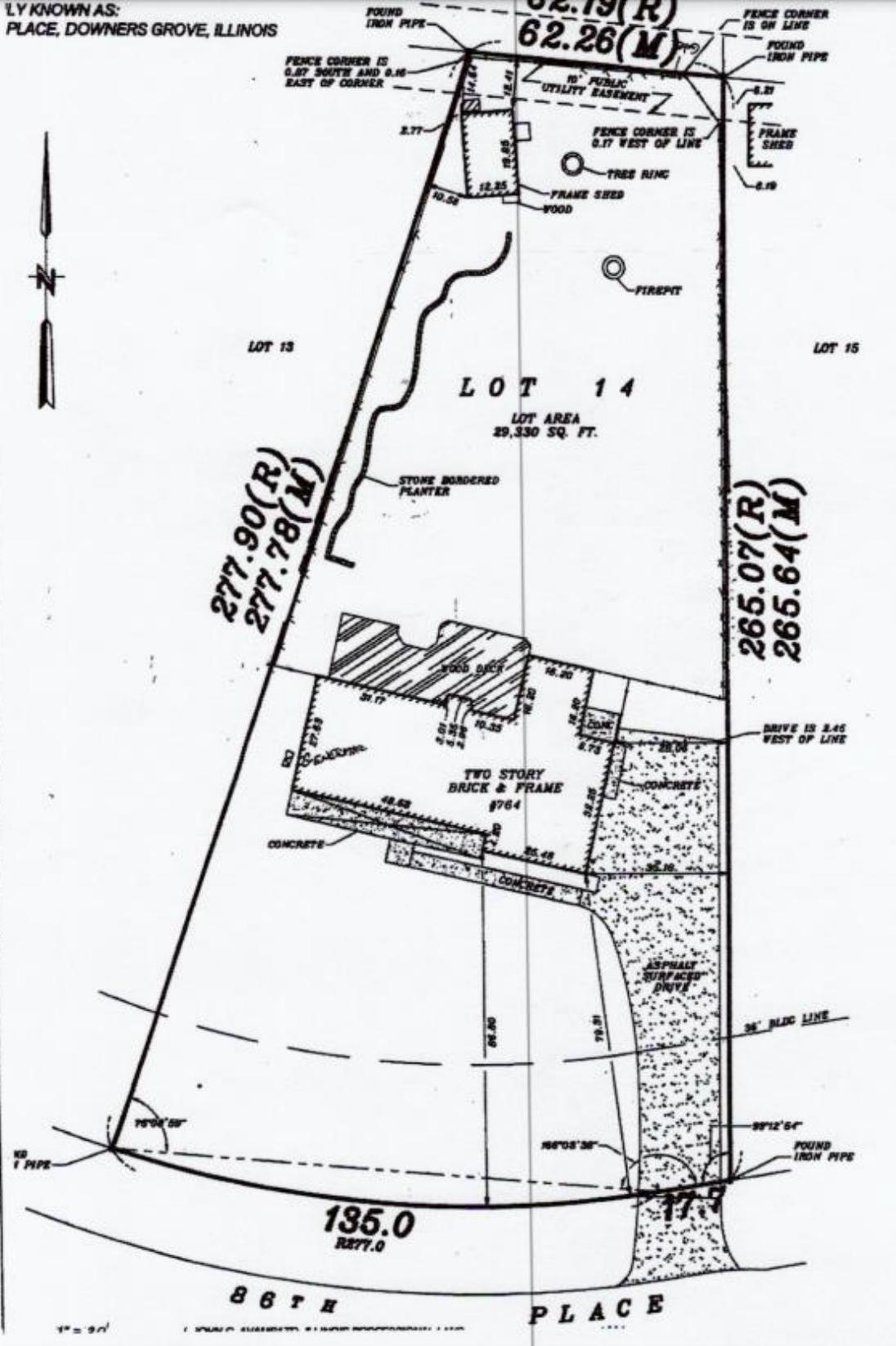
GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Int. Side Yard:	10'	APPROX. 2'	APPROX. 2'

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-3 SF RES	HOUSE	0-5 DU AC
North	R-3 SF RES	HOUSE	0-5 DU AC
South	86 TH PLACE AND BEYOND R-3 SF RES	HOUSE	0-5 DU AC
East	R-3 SF RES	HOUSE	0-5 DU AC
West	R-3 SF RES	HOUSE	0-5 DU AC

LY KNOWN AS:
PLACE, DOWNERS GROVE, ILLINOIS













Development Ordinance

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: DC-O-0029-24

Agenda Date: 4/16/2024

Agenda #: 6.G.



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

630-407-6700
fax: 630-407-6702

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Development Committee
FROM: DuPage County Zoning Hearing Officer
DATE: April 3, 2024
RE: **ZONING-24-000016 Correa (York / District 4)**

DuPage County Development Committee: April 16, 2024:

Zoning Hearing Officer: April 3, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

Conditional Use to allow a 6'/100% closed fence within the 10' corner side yard setback.

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-24-000016 Correa** dated April 3, 2024.
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 to allow a Conditional Use to allow a 6'/100% closed fence within the 10' corner side yard setback.

- B. That petitioner testified that the subject property previously had a dilapidated metal/iron fence within the corner side yard, and that petitioner removed the metal/iron fence and replaced it with a cedar/wood treated fence that is 6'/100% closed.
- C. That petitioner testified that he requires a 6'/100% closed fence within the corner side yard setback due to increased vehicle traffic on Marlborough Road, which is used as a cut-through street in the neighborhood.
- D. That petitioner testified that due to the vehicle traffic on Marlborough Road, there is an increase in noise and safety concerns, and that the 6'/100% closed fence is required as petitioner has two dogs and grandchildren that play in the backyard.
- E. That the Zoning Hearing Officer finds that petitioner has demonstrated sufficient evidence to support the requested zoning relief for the existing 6'/100% closed fence and that petitioner requires a 6'/100% closed fence due to the location of the subject property on Marlborough Road.

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 6'/100% closed fence 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 he will receive a building permit for the existing 6'/100% closed fence and that it does not increase the hazard from fire or other dangers.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the existing 6'/100% closed fence does not diminish the value of land.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the existing 6'/100% closed fence 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 6'/100% closed fence.

- 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 6'/100% closed fence.

- 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 6'/100% closed fence 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

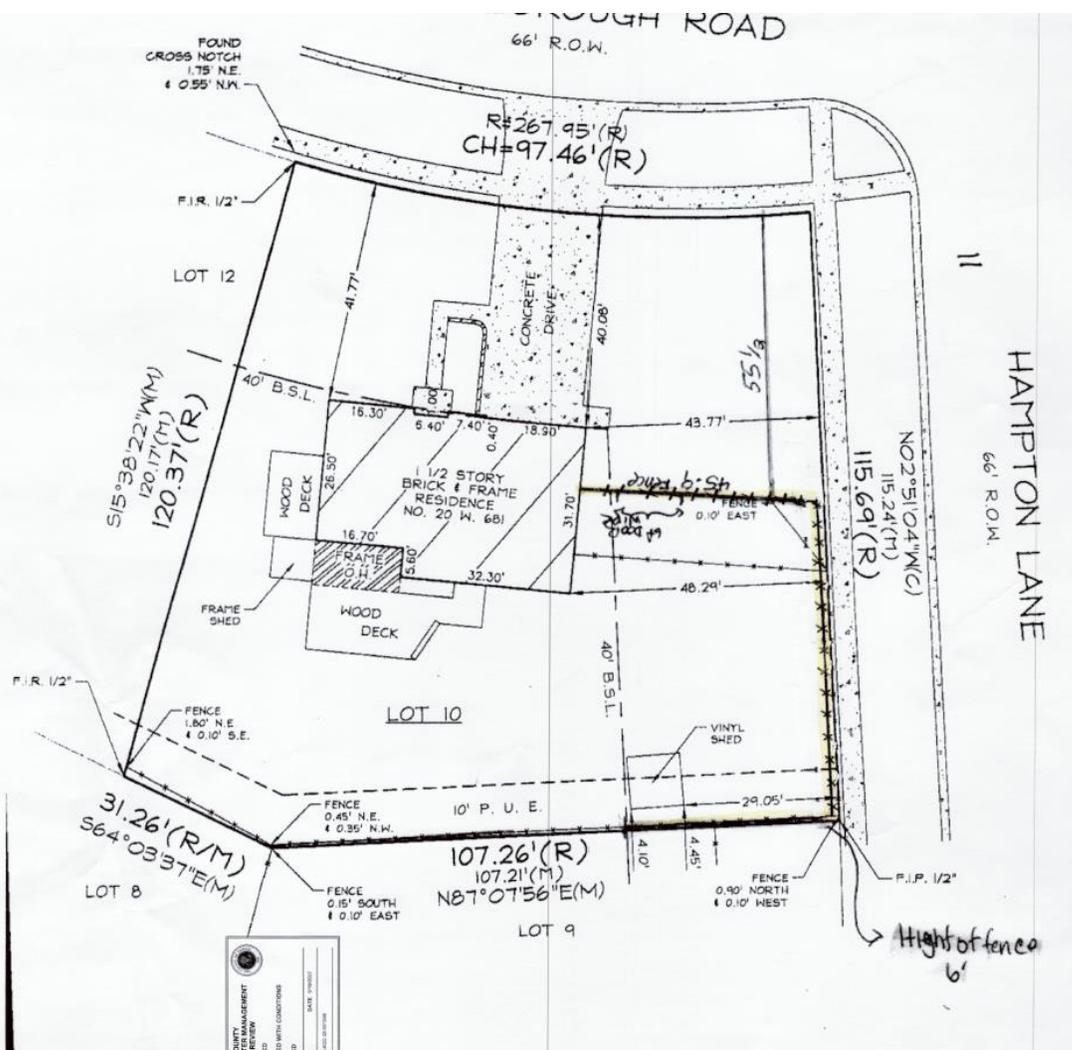
GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-24-000016 Correa	
ZONING REQUEST	Conditional Use to allow a 6'/100% closed fence within the 10' corner side yard setback.	
OWNER	RAFAEL CORREA, JR. 20W681 MARLBUROUGH ROAD, LOMBARD, IL 60148	
ADDRESS/LOCATION	20W681 MARLBUROUGH ROAD, LOMBARD, IL 60148	
PIN	06-30-109-002	
TWSP./CTY. BD. DIST.	YORK	DISTRICT 4
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: MARCH 19, 2024	
PUBLIC HEARING	WEDNESDAY, APRIL 3, 2024	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	Our office has no jurisdiction in this matter.	
Stormwater:	No Objections.	
Public Works:	Our office has no jurisdiction in this matter.	
EXTERNAL:		
Village of Glen Ellyn:	<i>No Comments Received.</i>	
Village of Downers Grove:	"The Village of Downers Grove has no comments."	
Village of Lombard:	"The fence proposed at 20W681 Marlborough would be permitted by right under the Lombard Village Code. As such, we have no comment on this petition."	
York Township:	<i>No Comments Received.</i>	
Township Highway:	No Objections.	
Glenbard Fire Dist.:	<i>No Comments Received.</i>	
Sch. Dist. 44:	<i>No Comments Received.</i>	
Sch. Dist. 87:	<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
Corner Side Yard:	4'6" / 50% OPEN	6' / 100% CLOSED	6' / 100% CLOSED

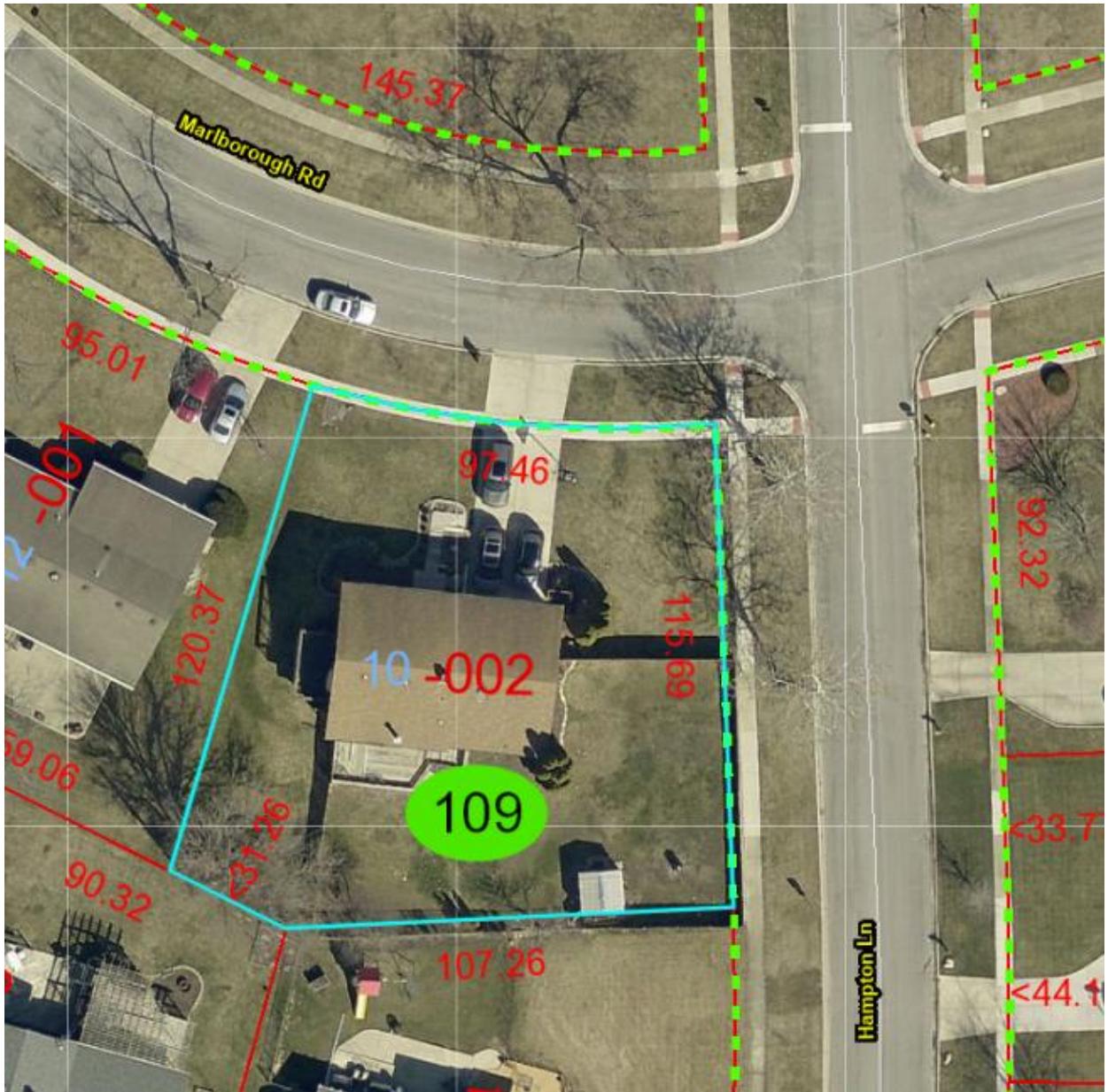
LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	HOUSE	0-5 DU AC
North	MARLBOROUGH ROAD AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
South	R-4 SF RES	HOUSE	0-5 DU AC
East	HAMPTON LANE AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
West	R-4 SF RES	HOUSE	0-5 DU AC









DU PAGE COUNTY ZONING BOARD OF APPEALS
JACK T. KNEPPER ADMINISTRATION BUILDING
421 N. County Farm Road, Wheaton, IL 60187

Sample Copy - 10% Administrative Variation - Letter to Neighbors

Dear:

My name is: RAFAEL CORREA JR

I live at: 20W681 MARIBOROUGH RD

I am requesting a 10% administrative variation from DuPage County to allow me to build a:

Fence on the streetside of my property 13' from sidewalk
to allow 6ft fence 100% closed.

The zoning request is 10% or less of the DuPage County Zoning Code requirements.

I am required to circulate this petition and have my immediate neighbors approve of the proposed variation request. As such, if you do not object to the 10% administrative variation please sign below:

I: Robert J. Latelle

Residing at: 20W680 Mayfair Rd.

Immediately adjacent to the subject property herein do not object to a 10% administrative variation to allow:

a six foot fence by sidewalk. I Do NOT object.

Robert J. Latelle
Print/and Signature of Owner

20W680 Mayfair Rd
Street

Lombard IL. 60148
City, State, Zip

[Redacted]
Phone Number

Subscribed and sworn to before me this:

19 Day of September 2022
[Redacted]



Owner Name and Signature seeking zoning request: Rafael CORREA [Redacted]

Owner seeking zoning request Address: 20W681 MARIBOROUGH LANE LOMBARD

Phone: [Redacted] FAX: _____ em: [Redacted]



Informational

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: 24-1273

Agenda Date: 4/16/2024

Agenda #: 6.H.



Discussion

421 N. COUNTY FARM
ROAD
WHEATON, IL 60187
www.dupagecounty.gov

File #: 24-1275

Agenda Date: 4/16/2024

Agenda #: 6.I.



**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 Development Committee

FROM: Staff

DATE: April 16, 2024

RE: **Request to consider four (4) general Text Amendments to the DuPage County Zoning Ordinance relative to:**
T-1-24 Video Gaming
T-2-24 Electric Vehicles and Bee Keeping,
T-3-24 Accessory Dwelling Units and Bulk Regulations.
T-4-24 Lake Street Corridor Overlay Zoning District

Development Committee: April 16, 2024: Request to proceed with a Public Hearing before the DuPage County Zoning Board of Appeals to consider Text Amendments to the DuPage County Zoning Ordinance relative to the following:

1. T-1-24 Text Amendments to the DuPage County Zoning Ordinance to add to the definition section relative to Video Gaming Uses both permitted by right or by conditional use in the B-1 Local Commercial, B-2 General Commercial, I-1 Light Industrial and I-2 General Industrial Zoning districts.
 - a. Add distance requirements from Video Gaming uses relative to other video gaming uses and places of assembly, schools, day care facilities.
 - b. Add parking requirements commensurate with the intensity of use required for the video gaming facilities.
2. T-2-24 Text Amendments to the DuPage County Zoning Ordinance to add to the definition section relative to Electric Vehicles and bee keeping.
 - a. In addition, add to the Permitted and Conditional Use sections to allow for electric vehicle charging stations in all nonresidential zoning districts and bee keeping by right in all single family residential zoning districts.
 - b. In addition, add bulk regulations relative to bee keeping facilities and structures, (i.e., setback requirements, number of hives and structures thereto, certification requirements etc.).



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3. T-3-24 Text Amendments to the DuPage County Zoning Ordinance to add to the definition section relative to Accessory Dwelling Units and Dwelling units in general.
 - a. In addition, add new residential use requirements and bulk regulations for accessory dwelling units (i.e.: number of occupants in the accessory dwelling units, number of kitchens, setback requirements of accessory dwelling units and parking requirements)
4. T-4-23 Text Amendment to the DuPage County Zoning Ordinance to create the Lake Street Corridor Overlay District for all properties located within the Lake Street Corridor.

SUMMARY:

Over the last several months County Board members have requested staff to research various land use topics that are of importance to their constituents. Staff has completed its research and developed several proposed amendments to the County Zoning Ordinance that would address the concerns of the County Board members relative to the following:

- Video Gaming;
- Electric Vehicles;
- Bee Keeping;
- Accessory dwelling units (ADU's) and new residential guidelines that will allow for existing platted residential lots to be available for development as of right.
- The Lake Street Corridor Zoning Overlay District.

As each of these topics carry different levels of priority and scrutiny staff has divided the proposed text amendments into four (4) categories of review for the ZBA allowing the ZBA and the County Board to consider the merits of each exclusive of one another.



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EXHIBIT #1

T-1-24 PROPOSED TEXT

T-1-24 Text Amendments to the DuPage County Zoning Ordinance relative to Video Gaming.

- When the County Board approved Video Gaming there were no zoning or building or liquor rules at the County level and as such the County followed state law only.
- The proposed zoning text amendments will correlate with changes being considered to the County Liquor Control Code relative to video gaming uses as the principal use of a property (Video Gaming Café) and ancillary to permitted or Conditional Use in a zoning district, (Video Gaming Terminals)
- Proposed changes clarify where Gaming uses are permitted or require conditional use approval from County Board, provide new parking regulations commensurate with parking studies and provide distant requirements from other video gaming uses and protected uses (i.e., schools, places of assembly day facilities).

**Add to ARTICLE III. RULES AND DEFINITIONS Section 37-302:
DEFINITIONS:**

VIDEO GAMING LICENSED ESTABLISHMENT: Any licensed retail establishment where alcoholic liquor is drawn, poured, mixed, or otherwise served for consumption on the premises, whether the establishment operates on a nonprofit or for-profit basis.

- **Licensed establishment includes any such establishment that has a contractual relationship with an inter-track wagering location licensee licensed under the Illinois Horse Racing Act of 1975, provided any contractual relationship shall not include any transfer or offer of revenue from the operation of video gaming under this Act to any licensee licensed under the Illinois Horse Racing Act of 1975. Provided, however, that the licensed establishment that has such a contractual relationship with an inter-track wagering location licensee may not, itself, be (i) an inter-track wagering location licensee, (ii) the corporate parent or subsidiary of any licensee licensed under the Illinois Horse Racing**



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Act of 1975, or (iii) the corporate subsidiary of a corporation that is also the corporate parent or subsidiary of any licensee licensed under the Illinois Horse Racing Act of 1975.

- Licensed fraternal establishment" means the location where a qualified fraternal organization that derives its charter from a national fraternal organization regularly meets.
- Licensed veteran's establishment means the location where a qualified veteran's organization that derives its charter from a national veteran's organization regularly meets.
- Licensed truck stop establishment means a facility (i) that is at least a 3-acre facility with a convenience store, (ii) with separate diesel islands for fueling commercial motor vehicles, (iii) that sells at retail more than 10,000 gallons of diesel or biodiesel fuel per month, and (iv) with parking spaces for commercial motor vehicles. "Commercial motor vehicles" has the same meaning as defined in Section 18b-101 of the Illinois Vehicle Code. The requirement of item (iii) of this paragraph may be met by showing that estimated future sales or past sales average at least 10,000 gallons per month.
- Licensed large truck stop establishment means a facility located within 3 road miles from a freeway interchange, as measured in accordance with the Department of Transportation's rules regarding the criteria for the installation of business signs: (i) that is at least a 3-acre facility with a convenience store, (ii) with separate diesel islands for fueling commercial motor vehicles, (iii) that sells at retail more than 50,000 gallons of diesel or biodiesel fuel per month, and (iv) with parking spaces for commercial motor vehicles. "Commercial motor vehicles" has the same meaning as defined in Section 18b-101 of the Illinois Vehicle Code. The requirement of item (iii) of this paragraph may be met by showing that estimated future sales or past sales average at least 50,000 gallons per month.

RESTAURANT: An establishment whose ~~wherein the~~ principal business use is the dispensing of edible, prepared food and/or beverages for consumption on and/or off the premises depending on the type of restaurant herein. Restaurant is further defined by class as follows:

Carry Out Only Restaurant: An establishment wherein the principal business is the sale of food and may ancillary include the sale of non-alcoholic beverages only to the customer in the ready-to-consume state for consumption off the premises and generally includes the following characteristics:



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- 1. Sells prepared or prepackaged food for carryout only;**
- 2. Has no seating for patrons on the premises;**
- 3. Does not accept dining reservations.**
- 4. Has no county liquor license;**
- 5. Has no video gaming terminals.**

Class A Restaurant: An establishment wherein the principal business is the sale of food in the ready-to-consume state for consumption on/or off the premises and non-alcoholic beverages to the customer and generally includes the following characteristics:

- 1. Sells prepared and/or prepackaged food ready to carry out and/or dine in and/or via drive through service;**
- 2. Has on premises seating for patron's ancillary to the carry out and drive through services;**
- 3. Typically franchised or chain owned businesses;**
- 4. Has no meeting and/or banquet facilities;**
- 5. Does not accept dining reservations;**
- 6. Has no county liquor license;**
- 6. Has no video gaming devices.**

Class B Restaurant: An establishment wherein the principal business is the sale of food in the ready-to-consume state for consumption on the premises and beverages to the customer and generally includes the following characteristics:

- 1. Holds a county issued liquor license;**
- 2. May accept dining reservations as a standard procedure;**
- 3. May utilizes a hostess to seat patrons;**
- 4. Has meeting and/or banquet facilities incidental to the principal use;**
- 5. Does not have carryout service on a regular basis;**



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6. May have video gaming terminals where video gaming terminals ancillary to the principal business activity, and holds a video gaming license from the State of Illinois and has secured a liquor license

Class C Restaurant: An establishment wherein the principal business is the sale of food in the ready-to-consume state for consumption on the premises and beverages to the customer and generally includes the following characteristics:

- **Has a bar/lounge area separate from the restaurant which is utilized by non-eating customers.**

2. Has, on a regular or semi-regular basis, entertainment facilities to include, but not be limited to, dance floors, disc jockeys or live bands.

3. Has additional facilities other than the restaurant, to attract customers.

4. Holds a county issued liquor license;

5. Accepts dining reservations as a standard procedure;

6. Utilizes a hostess to seat patrons;

7. Has meeting and/or banquet facilities incidental to the principal use;

8. Does not have carryout service on a regular basis;

9. May have video gaming terminals where video gaming terminals ancillary to the principal business activity, and holds a video gaming license from the State of Illinois and has secured a liquor license

Tavern/Bar: an establishment wherein the principal business use is the sale of beer, alcoholic and non-alcoholic beverages to be consumed on the premises, The term tavern herein also can refer to bar or pub.

Video Gaming Café Restaurant: An establishment wherein the principal business use is video gaming where the proprietor holds a video gaming license from the State of Illinois and provides alcohol service and may serve prepared food or packaged food for consumption on the premises incidental to the operation of video gaming.



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Video Gaming Terminal Establishments: A accessory use that is not a Video Gaming Cafe, where video gaming terminals are an accessory use to the principal business use on the premises, and where the proprietor of the principal business use holds a video gaming license from the State of Illinois and holds a liquor license from the County.

VIDEO GAMING TERMINAL: Any electronic video game machine that, upon insertion of cash, electronic cards or vouchers, or any combination thereof, is available to play or simulate the play of a video game, including but not limited to video poker, line up, and blackjack, as authorized by the Illinois Gaming Board utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash. The term does not include a machine that directly dispenses coins, cash, or tokens or is for amusement purposes only.

A. Class A Restaurant: A restaurant which exhibits any four (4) or more of the following characteristics:

- ~~1. Sells prepackaged food ready to carryout.~~
- ~~2. Could have little or no on-premises seating for patrons.~~
- ~~3. Franchised or chain-owned businesses.~~
- ~~4. Has no meeting and/or banquet facilities.~~
- ~~5. Has no county liquor license.~~
- ~~6. Does not accept dining reservations.~~
- ~~7. Little or no advertising on an individual establishment basis.~~

B. Class B Restaurant: A restaurant which exhibits any four (4) or more of the following characteristics:

- ~~1. Holds a county issued liquor license in the class B, C, or D.~~
- ~~2. Meeting and/or banquet facilities incidental to the principal use are available.~~



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- ~~3. Normally accepts dining reservations as a standard procedure.~~
- ~~4. Does not have carryout service on a regular basis.~~
- ~~5. Advertises primarily on an individual establishment basis.~~
- ~~6. Utilizes a hostess to seat patrons.~~

~~C. Class C Restaurant: A class C restaurant is any class B restaurant that exhibits any one of the following characteristics:~~

- ~~1. Has a bar/lounge area separate from the restaurant which is utilized by non eating customers.~~
- ~~2. Has, on a regular or semi-regular basis, entertainment facilities to include, but not be limited to, dance floors, disc jockeys or live bands.~~
- ~~3. Has additional facilities other than the restaurant, to attract customers.~~
- ~~4. Has additional facilities, as established in subsections C1 through C3 of this section, and has been determined by the director, department of economic development and planning to severely impact the provision of off street parking spaces.~~

37-801.2: CONDITIONAL USES:

The following conditional uses require prior approval after a public hearing in accordance with the requirements of section 37-1413 of this chapter:

Restaurants, class B and C, including open air dining, **and including Video Gaming Terminal Establishments. Any Class B or C Restaurant Use that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another Video Gaming Café or Class B or C restaurant that also has a Video Gaming Terminal Establishment.**

37-802: B-2 GENERAL BUSINESS DISTRICT:

37-802.1: PERMITTED USES:



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The following uses are permitted:

Automobile service stations, shall not be eligible for yard reductions by conditional use. **including Video Gaming Terminal Establishments. Any automobile service station that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another automobile service station that also has a Video Gaming Terminal Establishment.**

Open sales lots, need not be enclosed

Convenience Store: Establishment where pre-packaged foods and beverages are sold for off premises consumption including Video Gaming Terminal Establishments. Any automobile service station that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another automobile service station that also has a Video Gaming Terminal Establishment

Restaurants - carryout, class A, B, and C **Including Video Gaming Establishments and Video Gaming Café. Any Video Café or any Class B or C Restaurant Use that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another Video Gaming Café or Class B or C restaurant that also has a Video Gaming Terminal Establishment.**

Taverns **including Video Gaming Terminal Establishments**
Any Tavern Use that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another Tavern Use that also has a Video Gaming Terminal Establishment.

37-1001: I-1 LIGHT INDUSTRIAL DISTRICT:



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37-1001.1: PERMITTED USES:

Automobile service stations, shall not be eligible for yard reductions by conditional use. **including Video Gaming Establishments. Any automobile service station that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another automobile service station that also has a Video Gaming Terminal Establishment.**

Convenience Store: Establishment where pre-packaged foods and beverages are sold for off premises consumption including Video Gaming Terminal Establishments. Any automobile service station that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another automobile service station that also has a Video Gaming Terminal Establishment

Restaurants - carryout, class A, B, and C **including Video Gaming Establishments and Video Gaming Café. Video Gaming Café or any Class B or C Restaurant Use that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another Video Gaming Café or Class B or C restaurant that also has a Video Gaming Terminal Establishment.**

37-1002: I-2 GENERAL INDUSTRIAL DISTRICT:

**

37-1002.1: PERMITTED USES:

Automobile service stations, shall not be eligible for yard reductions by conditional use. **including Video Gaming Terminal Establishments. Any automobile service station that also has a Video Gaming terminal establishment must be located at least**



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1,000 feet from a place of assembly use, school or day care facility and another automobile service station that also has a Video Gaming Terminal Establishment.

Convenience Store: Establishment where pre-packaged foods and beverages are sold for off premises consumption including Video Gaming Terminal Establishments. Any automobile service station that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another automobile service station that also has a Video Gaming Terminal Establishment

Restaurants - carryout, class A, B, and C including Video Gaming Establishments and Video Gaming Café. Video Gaming Café or any Class B or C Restaurant Use that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another Video Gaming Café or Class B or C restaurant that also has a Video Gaming Terminal Establishment.

37-1203: SCHEDULE OF OFF STREET PARKING REQUIREMENTS:

6.6 RESTAURANT, TAVERN, AND BANQUET FACILITY

Tavern: Four (4) parking spaces per each 1,000 square feet of gross floor area.

Video Gaming Café Restaurant: Four (4) parking spaces per each 1,000 square feet of gross floor area.

END



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T-2-24 PROPOSED TEXT

T-2-24 Text Amendments to the DuPage County Zoning Ordinance to add to the definition section relative to Electric Vehicles and bee keeping.

- Add to the Permitted and Conditional Use sections to allow for electric vehicle charging stations in all nonresidential zoning districts and bee keeping by right in all residential zoning districts.
- Add bulk regulations relative to bee keeping facilities and structures, (i.e., setback requirements, number of hives and structures thereto, certification requirements).

**Add to ARTICLE III. RULES AND DEFINITIONS Section 37-302:
DEFINITIONS: Add Definitions Relative Electric Vehicles:**

AC: Alternating current (electricity).

BATTERY, BATTERIES: A cell or cells onboard an electric vehicle which is used for storing and furnishing electrical energy for the purpose of propelling the vehicle.

BATTERY ELECTRIC VEHICLE (BEV): An electric vehicle with an onboard battery that operates exclusively on electrical energy from the battery which battery is charged from an electrical power source (charging station) not onboard the vehicle.

CHARGING LEVEL: The standardized indicators of electrical force, or voltage at which an electric vehicle's battery is recharged. Typical electric vehicle charging levels and specifications are:

- **Level 1: AC slow battery charging. Voltage is one hundred twenty (120) volts.**
- **Level 2: AC medium battery charging. Voltage is between one hundred twenty (120) volts and two hundred forty (240) volts.**
- **Level 3: DC fast or quick battery charging. Voltage is greater than two hundred forty (240) volts. Sometimes referred to as "DC fast".**

CHARGING STATION: Equipment that has as its primary purpose the transfer of electric energy by conductive or inductive means to a battery or other energy



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storage device located onboard an electric vehicle. Various types of charging stations include:

- Accessible Charging Station: A charging station incorporated into or immediately adjacent to a handicapped parking space as "handicapped parking space" is defined by the Illinois vehicle code.
- Level 3 Charging Station (Sometimes: DC Fast Charging Station): A charging station that provides any single phase voltage or current rating higher than that of level 2, or any 3-phase supply voltage configuration.
- Private Charging Station: A charging station that is: 1) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking, etc.), or 2) publicly owned and restricted (e.g., fleet parking with no access to the public).
- Public Charging Station: A charging station that is: 1) publicly owned and publicly available (e.g., park and ride, public parking lots, on street parking, etc.) or 2) privately owned and publicly available (e.g., shopping center parking, non-reserved parking in multi-family parking lots, etc.).

CHARGING STATION EQUIPMENT: The conductors, including ungrounded and grounded, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, charging stations or apparatus installed specifically for the purpose of delivering electrical energy from the charging station to the electric vehicle.

CHARGING STATION SPACE: A dedicated, marked space that identifies the use thereof as exclusively for the charging of electric vehicles.

DC: Direct current (electricity).

ELECTRIC SCOOTERS AND/OR MOTORCYCLES: A two-wheel or three-wheel electric vehicle that operates exclusively on electrical energy stored in the vehicle's batteries.

ELECTRIC VEHICLE: A vehicle that operates, either partially or exclusively, on electrical energy from a charging station or other electrical energy source that is stored in the vehicle's battery for propulsion purposes. "Electric vehicle" includes: a) a battery electric vehicle; b) a plug-in hybrid electric vehicle; c) a neighborhood electric vehicle; and d) electric scooters or motorcycles.

NEIGHBORHOOD ELECTRIC VEHICLE: An electric vehicle with four (4) wheels that conforms to federal regulations under title 49 CFR part 571.500 which can from a standstill attain a speed of twenty (20) miles per hour within one mile but cannot exceed a speed of more than twenty five (25) miles per hour.



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NONELECTRIC VEHICLE: A vehicle that does not meet the definition of "electric vehicle" as provided herein.

PLUG-IN HYBRID ELECTRIC VEHICLE (PHEV): An electric vehicle that: a) contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; and b) charges its battery primarily by connecting to a charging station or other electrical source not onboard the vehicle; c) may additionally be able to sustain a battery charge using an onboard internal combustion driven generator; and d) has the ability to be propelled through the use of electricity.

CHARGING STATION EQUIPMENT: The conductors, including ungrounded and grounded, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, charging stations or apparatus installed specifically for the purpose of delivering electrical energy from the charging station to the electric vehicle.

CHARGING STATION SPACE: A dedicated, marked space that identifies the use thereof as exclusively for the charging of electric vehicles.

Add to the Definition Section relative to Bee Keeping:

APIARY: A place where one or more bee colonies are kept.

BEE: Any stage of the common domestic honeybee, Apis mellifera species.

BEEKEEPER: A person who owns or has charge of one or more colonies of bees.

BEEKEEPING EQUIPMENT: Anything used in the operation of an apiary, including, but not limited to, hive bodies, supers, frames, top and bottom boards, and extractors.

COLONY (COLONIES): A hive and its equipment and appurtenance, including bees, comb, honey, pollen, and brood.

HIVE: A structure intended for the housing of a bee colony.

HOBBY BEEKEEPING: The keeping of bees subject to the restrictions set forth in this chapter.

NUCLEUS COLONY: A small quantity of bees with a queen housed in a smaller than usual hive box designed for a particular purpose



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Add to all zoning districts as a permitted use:

Level 1 and level 2 charging stations are permitted in every zoning district, when accessory to the primary permitted use of said district.

Charging stations located at single-family and multiple-family uses shall be designated as private use only. Installation of level 2 charging stations shall be subject to building permit approval.

Add to Sections: 37-701.1; 37-702.1; 37-703.1; 37-704.1 PERMITTED USES:

4-H projects accessory to the principal use of the property:

1. May be permitted on a zoning lot containing not less than forty thousand (40,000) square feet of land area. All buildings for a 4-H project shall be set back not less than one hundred fifty feet (150') from the front lot line and not less than thirty feet (30') feet from any side or rear lot line.
 - a. **Prior to the commencement of the 4 H project provide the local Illinois Cooperative Extension 4-H program certification.**
2. **4-H projects for bee keeping and bee colonies maintained as a hobby by a resident of the same property, and which is not for commercial purposes are permitted subject to the following terms and conditions:**
 - a. **A permit issued by the County Building and Zoning Department is required to keep bees on a property.**
 - b. **The permit application requirements shall include:**
 - (1) **A site plan showing that all buildings and structures used for bee keeping shall be set back not less than twenty-five feet (25') from all property lines and shall be located behind the front wall of the home.**



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- (2) Prior to the commencement of the 4-H project provide the local Illinois Cooperative Extension 4-H program certification.
- (3) Provide a certified copy of the State of Illinois Department of Agriculture registration form as required by the Illinois Bees and Apiaries Act (510 ILCS 20/I et seq.) as amended from time to time and comply with all applicable regulations of said Department and legislation as may be amended from time to time
- (4) Provide documentation showing that all bees shall be of the common domestic honey bees of the Apis Mellifera species.
- (5) Provide documentation showing that all colonies will be kept in inspectable-type hives, with removable combs, which shall be kept in sound, usable and sanitary condition.
- (6) Provide documentation showing that all bee hives shall be kept within one or more contiguous bee hive structure(s) with a combined area not exceeding 8 square feet and 6 feet in height.
- (7) Lots containing less than 40,000 sq. ft. of land shall not have more than two colonies. Lots exceeding 40,000 square feet of lot area shall have a maximum of four colonies.
- (8) In any instance where a bee colony exhibits unusually aggressive characteristics by stinging or attempting to sting without due provocation or exhibits an unusual disposition towards swarming, it shall be the duty of the beekeeper to re-queen the colony. Queens shall be selected from a stock bred for gentleness and non-swarming characteristics.

Add to **37-801: B-1 LOCAL BUSINESS DISTRICT:**

Add Level 3 (DC fast) charging stations when accessory to the primary permitted use.

37-801.2: CONDITIONAL USES:

Automobile service stations, including minor services customarily incidental thereto, and facilities for chassis and gear lubrication, and Level 3 (DC fast) charging stations but not including the sale, storage, or rental of vehicles, new or used.



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37-802: B-2 GENERAL BUSINESS DISTRICT:

The B-2 general business district is intended to accommodate the needs of a larger consumer population. A wider range of uses is permitted for both daily and occasional shopping. (2005 Code)

37-802.1: PERMITTED USES:

Automobile service stations, including Level 3 (DC fast) charging stations shall not be eligible for yard reductions by conditional use.

37-1001: I-1 LIGHT INDUSTRIAL DISTRICT:

37-1001.1: PERMITTED USES:

Automobile service stations, including Level 3 (DC fast) charging stations shall not be eligible for yard reductions by conditional use.

37-1001.2: CONDITIONAL USES:

~~Automobile service stations.~~

37-1002: I-1 GENERAL INDUSTRIAL DISTRICT:

37-1002.1: PERMITTED USES:



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Automobile service stations, including Level 3 (DC fast) charging stations shall not be eligible for yard reductions by conditional use.

37-1002.2: CONDITIONAL USES:

~~Automobile service stations, need not be enclosed.~~

37-1205: OFF STREET LOADING REQUIREMENTS:

37-1205.1: GENERAL REQUIREMENTS:

M. Electric Vehicle charging station/parking space requirements for multi-family residential, nonresidential development:

1. **Charging stations spaces are reserved for use by electric vehicles only.**
2. **Electric vehicles may park in any parking space otherwise designated for parking, subject to the restrictions that would apply to any other vehicle generally.**
3. **Charging Station Space Requirements:**
 - a. **Minimum Requirements: A charging station space may be included in the calculation for minimum parking spaces that are required pursuant to other county and state regulations.**
 - b. **Number: No minimum number of charging station spaces is required.**
4. **Charging Station Space Location and Design Criteria:**
 - a. **Where provided, spaces for charging station purposes are required to include the following:**
 - (1) **Signage: Each charging station space shall be posted with signage indicating the charging station space is only for use by electric**



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- vehicles for charging purposes. Days and hours of operations shall be included if time limits or tow away provisions are to be enforced.
- (2) Maintenance: Charging station equipment shall be always maintained with a phone number or other contact information provided on the charging station equipment for reporting purposes when the equipment is not functioning, or other equipment problems are encountered.
 - (3) Accessibility: Where charging station equipment is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the charging station equipment shall be located so as not to interfere with accessibility requirements of the Illinois accessibility code or other applicable accessibility standards.
 - (4) Lighting: Where charging station equipment is installed, adequate site lighting shall be provided in accordance with county of DuPage lighting and glare performance standards and ordinances.
 - (5) Charging Station Equipment: Charging station outlets and connector devices shall be no less than thirty-six inches (36") and no higher than forty-eight inches (48") from the ground or pavement surface where mounted and shall contain a retraction device and/or a place to hang permanent cords and connectors a sufficient and safe distance above the ground or pavement surface.
 - (a) Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel or create trip hazards on sidewalks.
 - (b) Charging Station Equipment Protection: Adequate charging station equipment protection, such as concrete filled steel bollards, shall be used.
 - (6) Non-mountable curbing may be used in lieu of bollards if the charging station is set back a minimum of twenty-four inches (24") from the face of the curb.
 - (7) Usage Fees: An owner of a charging station is not prohibited from collecting a fee for the use of a charging station, in accordance with applicable state and federal regulations.
 - (a) Fees shall be prominently displayed on the charging station.

END



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T-3-24 PROPOSED TEXT

T-3-24 Text Amendments to the DuPage County Zoning Ordinance to add to the definition section relative to Accessory Dwelling Units and Dwelling units.

- In addition, add new residential use requirements and bulk regulations for accessory dwelling units (i.e.: number of occupants in the accessory dwelling units, number of kitchens, setback requirements of accessory dwelling units and parking requirements)

Amend and Add to Section **37-302: DEFINITIONS:**

ACCESSORY UNIT: A group of rooms which has complete, permanently installed kitchen and bath facilities and which constitutes a dwelling within a converted dwelling that is separate from the primary unit.

CONVERTED DWELLING: A ~~single-family~~ dwelling **unit** which has been converted into one primary unit and one accessory unit.

DWELLING UNIT, ACCESSORY: A self-contained room or group of rooms which has complete, permanently installed kitchen and bath facilities and which constitutes a dwelling within a converted dwelling that is separate from the primary unit.

DWELLING, MULTIPLE-FAMILY: A building, or portion thereof, consisting of three (3) or more dwelling units of any type.

DWELLING, SINGLE-FAMILY: A building containing a single dwelling unit only, which is separated from all other dwellings by open space.

DWELLING, TWO-FAMILY: A building consisting of two (2) dwelling units either attached, side by side, or one above the other, with each dwelling unit having a separate entrance.



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DWELLING UNIT: One or more rooms designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a ~~single family~~ maintaining a household.

37-417: ACCESSORY HOUSING:

37-417.1: DECLARATION OF POLICY:

The County Board of DuPage County, Illinois recognizes the need to create not only more affordable housing, but also create more housing types in a variety of neighborhoods for residents of all income levels. Accessory Dwelling Units (ADU'S) can serve as a source of financial stability or relief, encouraging revenue generation and wealth building for homeowners, especially for those who experience high housing costs.

~~The county board of DuPage County, Illinois, recognizes that the number of persons living in the county who are sixty two (62) years old or older is increasing and that many of these persons who would otherwise desire to maintain separate households are unable to do so because of insufficient incomes or need for services. The intent of section 37-417 of this chapter providing for accessory housing is to alleviate this problem. By permitting an accessory unit to be maintained in single family dwellings in the single family residential districts of the county, persons over sixty two (62) years old or older will be afforded a means of obtaining the additional income and security which will enable them to remain in homes owned and occupied by them. Also other persons owning and occupying single family dwellings in these districts will be provided with a means of caring and providing companionship for relatives who are sixty two (62) years or older. (2005 Code)~~

37-417.2: REQUIREMENTS FOR ACCESSORY DWELLING UNIT HOUSING ~~CONDITIONAL USE:~~

An accessory ~~dwelling~~ unit may be maintained **as part of the principal** ~~in~~ a single-family dwelling ~~as a conditional use~~ in the districts hereinafter indicated. Conversion of the dwelling and maintenance of the accessory unit and primary unit must conform to the following requirements:

A. Only one accessory **dwelling** unit may be maintained in a converted dwelling.



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- B. The total floor area of an accessory **dwelling** unit shall not exceed ~~seven hundred (700)~~ **one thousand (1,000)** square feet.
- ~~C. The accessory unit shall be structurally part of the converted dwelling; no accessory unit or portion thereof shall be maintained in an accessory building.~~
- D. The converted **accessory dwelling unit** must conform to all applicable yard and bulk requirements of the district.
- E. **The owner of the property must obtain a building permit for the converted accessory dwelling unit. The application for permit to include at least the following:**
- a. **Floor plans for the construction of the accessory unit; and**
 - b. **A reconversion plan showing both the principal dwelling unit and the accessory dwelling unit to a single-family dwelling after the accessory dwelling unit is no longer in operation.**
 - (1) **Reconversion of the property to a single-family dwelling shall be completed within ninety (90) days after the expiration of the conditional use.**
 - (2) **The property shall be reconverted according to the plans submitted at the time the accessory dwelling unit was permitted.**
- F. The exterior of the converted dwelling must retain the appearance of a single-family dwelling. The number of exterior entries on the front of the converted dwelling shall be the same number as prior to its conversion.
- G. The total number of occupants in the combined principal and accessory dwelling units shall not exceed five (5) people including one or more persons related by blood, marriage, adoption, or guardianship, or a group of not more than five (5) persons not so related, including their domestic servants or resident staff, maintaining a common household in both the principal and accessory dwelling unit.**
- ~~G. No roomers or boarders allowed by the definition of dwelling unit in section 37-302 of this chapter shall be permitted in either the primary unit or the accessory unit.~~



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- H. At least one of the occupants of either the principal dwelling unit or the converted accessory dwelling unit must be the legal or beneficial owner of the property. ~~If none of the owners who occupy the converted dwelling are sixty two (62) years old or older, then the accessory unit must be occupied by a person who is sixty two (62) years old or older and who is related to one of the owners by blood, marriage, adoption or guardianship.~~
- I. ~~By January 31 of each year after the occupancy permit for the accessory unit is issued, all owners of the property shall file an affidavit, along with the annual renewal fee, with the director of the department of economic development and planning certifying that the property complies with the preceding subsection A through I of this section on the date of the filing. (2005 Code)~~

37-417.3: EXPIRATION OF CONDITIONAL USE:

~~Every conditional use for accessory housing shall expire by its own terms without action by the county board if the property fails to conform with any of the requirements of subsection 37-417.2A through I of this chapter, or if an affidavit is not filed in accordance with subsection 37-417.2I of this chapter. The expiration date shall be thirty (30) days after the date on which the property first fails to conform with these requirements or thirty (30) days after the date on which the affidavit was to have been filed. The conditional use shall not expire, however, if the property is brought into conformity with the requirements of subsection 37-417.2A through I of this chapter, or if the affidavit is filed as required prior to the expiration date. Every conditional use for accessory housing shall also expire when any owner of the converted dwelling conveys any portion of his or her interest in the property, unless the conveyance is to a trust of which that owner is a beneficiary. (2005 Code)~~

37-417.4: RECONVERSION TO SINGLE FAMILY DWELLING:

~~Reconversion of the property to a single family dwelling shall be completed within ninety (90) days after the expiration of the conditional use. The county development committee may extend the period of conversion for cause shown. The property shall be reconverted according to the plans submitted at the time the conditional use was applied for. (2005 Code)~~

Amend Sections 37-701.3, 37-702.3, 37-703.3, 37-7043.3: LOT REQUIREMENTS - SIZE, WIDTH AND DEPTH:



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Use	Minimum Lot Size	Lot Width		Lot Depth
		Interior	Corner	
Historic Lot of Record containing a Single Family Detached Dwelling	NA	66' when served with septic and well.	NA	NA
		50' when served with sewer and well	NA	NA
		44' when served with sewer and water	NA	NA

*****END*****



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T-4-24 PROPOSED TEXT

T-4-24 Lake Street Corridor Overlay Zoning District ADDITION TO THE DuPage County Zoning Ordinance.

- With the assistance of the Chicago Metropolitan Agency for Planning (CMAP and our municipal partners of Hanover Park, Roselle and Bloomingdale the County has developed the Lake Street Corridor Zoning Overlay District.
- After three (3) years or working with the group including several open house meetings with the public CMAP and its consultant Teska Associates Inc. have finalized the Lake Street Corridor Overlay District.
- Staff seeks a mandate from the Development Committee to present the proposed overlay district at public hearing before the ZBA.
- The overlay district represents a joint planning effort by the group to develop shared land use and bulk regulations consistent with each of our partners strategic land use and zoning regulations to allow a more uniformed and cohesive enforcement and development and entitlement process moving forward in the corridor.

SEE EXHIBIT #2

Exhibit#2

DRAFT - Lake Street Zoning Overlay District

I. INTENT AND PURPOSE

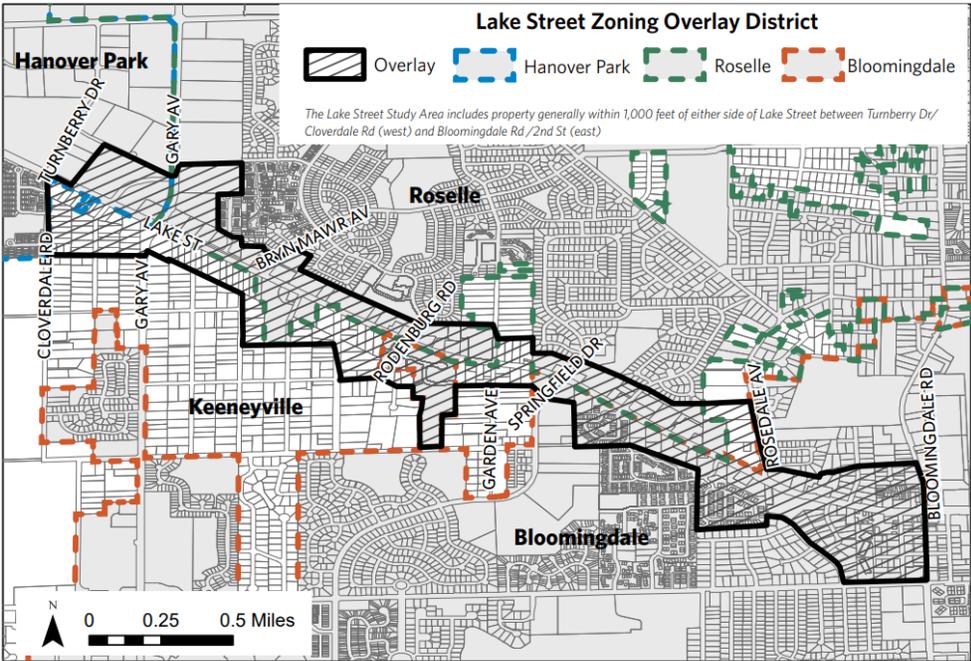
A. Purpose

The Lake Street Overlay District (Overlay) establishes common zoning standards across multiple jurisdictions in the corridor planning area (shown below in Figure 1, Corridor Planning Area). The purpose of these regulations is to create a consistent and elevated character of development in this corridor, as well as support effective code enforcement. The Overlay promotes this by setting regulations for commercial uses of property. For existing and future residential uses, the Overlay applies standards to enhance residential living near Lake Street and mitigates potential adverse impacts of adverse commercial uses along the corridor.

B. Applicability

The Overlay includes property roughly within 1,000 feet on either side of Lake Street between Turnberry Dr / Cloverdale Road (west) and Bloomingdale Road / 2nd St (east). It includes sites incorporated within the Villages of Hanover Park, Roselle and Bloomingdale and within unincorporated DuPage County. In some instances, the Overlay standards may differ from, or defer to, the underlying zoning jurisdictional zoning district. Where different standards have been established between the Overlay and underlying zoning, the regulations of the local jurisdiction may, in the discretion of the applicable zoning authority, control, unless otherwise specified in this Chapter.

Figure 1: Corridor Planning Area



II. ADMINISTRATIVE PROVISIONS

A. Purpose

An Overlay shared between four jurisdictions requires a level of consistency in how zoning processes are conducted, and a respect for the specific planning and economic development goals and objectives, as well as needs and expectations of those jurisdictions. This section applies approaches built on common expectations of the jurisdictions, and establishes mechanisms for ongoing communications between those jurisdictions so that the intent of this Overlay can be effectively pursued.

B. Zoning Enforcement

Zoning provisions specified in this Overlay will be applied and enforced upon properties by the jurisdiction in which that property is located; provided, however, that in many instances the zoning official will have discretionary authority, pursuant to delegated standards, to determine whether the regulations of this ordinance or the relevant district regulations unique to the jurisdiction will control. This will include all zoning entitlement requests and zoning enforcement actions. Responding jurisdictions are encouraged to communicate with other jurisdictions that may be impacted by the matter and continue to do so as development review or zoning enforcement actions proceed to resolution.

C. Applications for Special/Conditional Uses, Amendments, or Planned Development.

Special/Conditional Use Permits, Planned Developments, Variances, and other zoning entitlement applications for properties within the Overlay shall be processed through the jurisdiction in which the subject property is located. Likewise, amendments to a zoning district located within the underlying district shall be processed by the jurisdiction in which the subject property is located. When such a map amendment is approved, a map amendment to the Overlay will automatically occur. If the map amendment is to a local zoning district not specified in the Overlay Groupings in Table 1, the jurisdiction approving the map amendment shall determine which Overlay Grouping the zoning district is most appropriate for—based on the definition and use types in each Overlay Grouping—and inform the other corridor jurisdictions as to the change. The zoning procedures and standards for findings of fact related to special/conditional uses, variances, amendments and planned developments of the jurisdiction in which the property is located shall apply. The jurisdiction in which the matter is to be heard will notify the other Overlay jurisdictions of the requested zoning action, provide relevant available information, and invite comments or questions.

D. Permitted Uses, Building Permits, Appeals

Building permit applications for permitted uses or approved special/conditional uses shall be processed by the jurisdiction in which the property is located. All local requirements for building permit application, inspection, certificate of occupancy, and development shall apply.

Appeals to determinations by the Zoning Official of the jurisdiction in which a property located and regulated by the Overlay shall be heard by that jurisdiction.

E. Nonconforming Uses, Structure and Lots in the Overlay

In order to limit impacts of possible nonconforming conditions to Overlay standards on existing properties and uses thereof, nonconformities in the Overlay shall not be considered a limitation on use of property, provided the relevant and current standards of the underlying jurisdiction are met. Specifically:

1. Any use of land existing at the time this Overlay is adopted by a jurisdiction that is not consistent with the Land Use Groupings specified in Section III.B shall only be nonconforming in the Overlay. Such use will continue to be regulated regarding land use in accordance with the underlying zoning district and by the jurisdiction in which it is located.
2. Any structure existing at the time this Overlay is adopted by a jurisdiction that is not in conformance with the bulk standards of the Overlay (Sections III.C, III.D, and III.E) shall be nonconforming only within the Overlay. The structure will be conforming for bulk standards, as long as it is conforming with the bulk standards of the jurisdiction in which it is located.
3. Any lot existing at the time this Overlay is adopted by a jurisdiction that is not conforming with the lot sizes specified in Overlay (Sections III.C, III.D, and III.E) will be nonconforming only within the Overlay. The lot will be considered conforming for size, as long as they are in keeping with the standards of the jurisdiction in which it is located.
4. Uses, structures, and lots that do not conform to the regulations of the underlying zoning district of the jurisdiction in which they are located, will be used, developed, redeveloped and operated only in conformity with the zoning regulations of the jurisdiction's underlying zoning district and its nonconforming standards.

F. Use Determination

1. *Like Use*: Determination as to whether a use of land proposed in the Overlay falls into the Permitted or Special/Conditional Use categories of the Overlay, as provided in Section III.B, will be made by the Zoning Official of the jurisdiction in which the property is located. Any appeal to a determination of the Zoning Official shall follow the procedures for such an appeal of the jurisdiction in which the property is located.
2. *Uses Not Permitted*: Uses of land or buildings not meeting the definition of the land uses or land use categories in Section III.B, as determined by the Zoning Official of the jurisdiction in which the property is located, are prohibited in that Permitted or Special/Conditional Use categories in the Overlay District.

G. Miscellaneous Zoning Activities

Zoning related actions or requests, other than those specified in this Overlay, as may occur from time to time, and shall be regulated by the applicable zoning ordinances of the jurisdiction in which the property is located.

III. ZONING STANDARDS

A. Purpose:

Zoning standards in this Section will apply to:

1. the use of land;
2. the size of parcels for development or redevelopment, and

3. bulk standards that establish the location of principal and accessory uses on a property.

These standards establish a consistent and high-quality development and redevelopment framework for the corridor, as well as permitted and special/conditional uses that promote economic development benefits for the jurisdictions. The standards are built on commonalities of the jurisdictional zoning codes to minimize nonconformities.

B. Regulations for Use of Land

1. Determination of Permitted and Special/conditional Uses

Permitted and special/conditional uses for a property in the Overlay will be classified as being in one of the following five Overlay Land Use Groupings:

- a. Residential,
- b. Commercial,
- c. Employment,
- d. Institutional, and
- e. Planned Development.

The Overlay Land Use Grouping for a property shall be based on the underlying zoning district of the jurisdiction in which the property is located, as shown in Table 1: Overlay Land Use Grouping. Land uses permitted within each Overlay Land Use Grouping are specified in Table 2: Permitted Uses and Table 3: Special/Conditional Uses.

Table 1: Overlay Land Use Grouping

Overlay Grouping	Village of Bloomingdale	DuPage County	Village of Hanover Park	Village of Roselle
<i>Residential</i>	R-1, R-2B, R-3, R-4	R-3, R-4		R-3
<i>Commercial</i>	B-2, B-3, OD, OT	B-1, B-2, O	B-2	B1, B5
<i>Employment</i>			B-P	ORI
<i>Institutional</i>		O		
<i>Planned Development</i>	Plan Unit Development	Planned Development	Planned Unit Development	Planned Unit Development

Table 2: Permitted Uses

1. Residential Uses
 - (a) Community Residence
 - (b) Single-Unit Detached Dwelling
2. Commercial Uses
 - (a) Business Services
 - (b) Financial Services
 - (c) Indoor Retail Sales
 - (d) Outdoor Dining Area (accessory to a restaurant)
 - (e) Park or Open Space (Public)
 - (f) Personal Services
 - (g) Professional, Business or Medical Offices
 - (h) Restaurants (includes coffee shops)

Table 3: Special/Conditional Uses

1. Residential Uses
 - (a) Community Residence w/in 600 feet of another community residence
 - (b) Multi-unit buildings
 - (c) Skilled Care Facility
 - (d) Townhomes
2. Commercial Uses
 - (a) Animal hospitals (includes Veterinarians)
 - (b) Uses including an Accessory Drive-Through Facility
 - (c) Car Wash
 - (d) Child Care Centers
 - (e) Gas / Fueling Stations
 - (f) Hotel / Motel
 - (g) Indoor Recreation / Athletic / Amusement Facilities
 - (h) Motor Vehicle Repair
 - (i) Motor Vehicle Sales
 - (j) Pet Care Services Facility (includes dog groomers or dog day care – not kennels)
3. Employment
 - (a) Light Industrial
 - (b) Logistics / Warehouse
4. Institutional
 - (a) Places of Assembly (includes libraries, government offices, membership clubs)
 - (b) Places of Worship
5. Planned Developments

C. Bulk Requirements – Residential – Single-Unit Detached Dwellings

Lot and Bulk Standards are provided in Table 4 for Single-Unit Detached Dwellings.

Table 4: Single Unit Residential	
Minimum Lot Size	
<i>Single-unit served with septic and well</i>	40,000 sq. ft.
<i>Single-unit served with sewer and well</i>	20,000 sq. ft.
<i>Single- unit served with sewer and water</i>	10,000 sq. ft
Minimum Lot Width	
<i>Single-unit served with septic and well</i>	Interior – 125 ft. Corner – 150 ft.
<i>Single-unit served with sewer and well</i>	Interior – 100 ft. Corner – 100 ft.
<i>Single- unit served with sewer and water</i>	Interior – 75 ft. Corner– 100 ft.
Minimum Lot Depth	100 ft.
Maximum Heights	36 ft.
Maximum Lot Coverage	N/A
Maximum FAR	0.35
Setbacks	

Minimum Front Yard	30 ft.
Minimum Rear Yard	25 ft.
Minimum Side (Interior) Yard	10 ft.
Min. Corner Side Yard	30 ft.

D. Bulk Requirements – Residential – Townhome and Multi-Unit Dwellings

Development of residential uses other than Single-Unit Detached Dwellings in the Overlay will meet the bulk standards of the jurisdiction in which it is located – based on the underlying zoning district or planned development approval applied by that jurisdiction.

E. Bulk Requirements – Commercial

Development of Commercial Uses in the Overlay will be in keeping with the bulk requirements as specified in Table 5:

Table 5: Commercial Uses	
Minimum Lot Size	One (1) Acre (43,560 s.f.)
Minimum Lot Width	100 ft.
Maximum Heights	Commercial uses – 45 ft. Employment uses – 60 ft. Institutional uses – 60 ft.
Floor Area Ratio (FAR)	Per Underlying Zoning Regulations
Maximum Lot Coverage	Per Underlying Zoning Regulations
Setbacks	
Min. Front Yard – Commercial Uses	<ul style="list-style-type: none"> • 80 ft. building setback • 15 ft. parking setback • 10 ft. landscape strip required adjacent to streetside property line. • Properties in Bloomingdale require a minimum 30 ft. landscape strip and parking setback.
Min. Front Yard – Employment Uses	<ul style="list-style-type: none"> • 80 ft. building setback • 15 ft. parking setback • 10 ft. landscape strip required adjacent to streetside property line.
Min. Rear Yard	30 ft.
Min. Side (Interior) Yard	15 ft.
Min. Corner Side Yard	50 ft.

F. Accessory Uses and Structures

Accessory uses and structures are permitted in the Overlay in accordance with the following:

1. Accessory Uses: An accessory use must be incidental to and supporting of a permitted or special/conditional principal use on the same property as the principal use.
2. Accessory Structures:
 - (a) An accessory structure shall be incidental and auxiliary to the principal structure on the same property as the principal structure.

- (b) Accessory structures may encroach in yard setbacks only if specifically authorized by the underlying jurisdictional zoning and in a manner authorized by that jurisdiction.

IV. PARKING AND LOADING

A. Purpose

Parking is a common concern, cost, and maintenance element for all development and redevelopment. The parking regulations of every jurisdiction have variations among them. This set of common parking regulations reduces the benefits or penalties associated with being located in one jurisdiction or another along the corridor. This approach simplifies regulations and supports development and redevelopment along the corridor.

B. Applicability

1. Applicable Standards

The parking and loading requirements of this Section IV shall apply to all properties within the Overlay, unless otherwise noted in this Section that there are alternatives for compliance in keeping with the permitting jurisdiction. The Zoning Official of the permitting jurisdiction may decide to replace any of the requirements in this Section with those of the permitting jurisdiction upon finding that local standards are more appropriate for a specific development, redevelopment, or use based on safety, lot size, lot configuration, or relationship to adjacent properties.

2. Parking Required

Parking lots must be provided for all Uses requiring more than four parking spaces.

3. Existing Uses:

(a) Where a building existed prior to the effective date of this Overlay, parking and loading facilities will conform with the requirements at the time occupancy was authorized by the permitting jurisdiction.

(b) Parking for any existing use of property will not be reduced below the requirements of this Overlay or the permitting jurisdiction, whichever is less. If parking is already less than the applicable requirements, it may not be reduced further.

(c) Expansion or Change of Use:

(i) Where the total square footage of a structure is increased by more than twenty (20) percent, all parking requirements of this Section will apply.

(ii) Requirements for new parking may be met through alternative measures in Section B.(c).7: Shared Parking and Section B.(c).10: Land Banking.

4. Nonconforming Parking Conditions:

(a) When a property is legally nonconforming as to parking or loading and the use of the building is changed, parking and loading standards shall be provided as required in this Overlay.

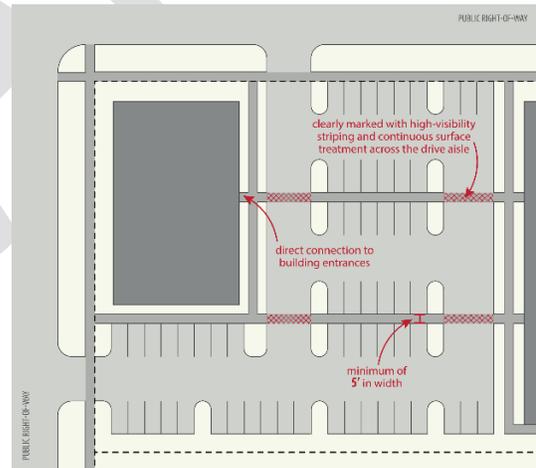
(b) Where a use is served by legal nonconforming parking or loading, and the total gross square footage of the structure is increased by twenty (20) percent or less, the parking standards of this Section will be applicable only to the increased square footage, and the parking standards applicable at the time the legal nonconforming parking was established shall be applicable to the remainder of the structure.

5. New Development: All buildings and structures constructed, and all uses of land established after the effective date of this Overlay will provide parking as required in this Overlay or the requirements of the permitting jurisdiction, whichever is less.

C. Parking Lot Design Standards

1. Parking Spaces and Drive Areas. All parking facilities must be designed so as to provide safe and efficient means of vehicular and pedestrian access that will least interfere with on-site and off-site traffic movements. In addition, the design, maintenance, construction, engineering, and dimensional requirements for parking lots in the Overlay will be as required by the permitting jurisdiction, except as provided otherwise in this chapter.
2. Relief from Parking Lot Design Standards: Relief may be granted to parking lot design standards in this subsection by the Zoning Official of the jurisdiction in which the property is located, in conformance with any such authority granted to them by the applicable code provisions of that underlying jurisdiction.
3. Access to Public Street Required. All off-street parking lots shall provide safe and direct access to a public street.
4. Computation: Calculation of required minimum parking which results in 0.5 of a space or greater require providing a number of spaces rounded up to the next whole number.
5. Pedestrian Access: All parking lots with two or more double-loaded rows shall provide internal pedestrian walkways within the parking area and outside of the parking rows.

- (a) The walkway must be a minimum of five (5) feet in width.
- (b) One walkway is required for every two (2) double loaded aisles.
- (c) The walkway must be located within the parking area to serve the maximum number of parking stalls.
- (d) All walkways must meet all applicable ADA accessibility requirements.
- (e) All parking lots must include walkways that provide direct connections to building entrances from the spaces furthest from the entrance. At least one walkway must provide a direct connection between the building entrances and the adjacent public rights-of-way and associated sidewalk.



- (f) All pedestrian walkways must be clearly marked with high-visibility striping, or using alternative materials, such as pavers. Where walkways cross a drive aisle, the walkway must be clearly indicated across the drive aisle.

6. Lighting. Lighting for all parking and loading areas for any use other than single-unit detached dwellings shall comply with the following:
 - (a) Any lighting used to illuminate off-street parking or loading areas shall be directed or shielded away from residential properties and public streets such that the light source is not visible from the property line.

- (b) All lighting should minimize glare by using recessed, shielded, or cut-off fixtures, with a cut-off angle of 90 degrees or less.
 - (c) All lighting shall be extinguished no later than thirty (30) minutes after the close of business of the use being served, except as otherwise may be approved by the underlying jurisdiction.
7. Cross-Access Easements. Where parking lots for separate uses are adjacent to one another and the opportunity for connected cross-access exists, such access is encouraged. Cross-access should be done in a logical manner that results in safe and efficient circulation between adjacent parking lots.
8. Shared / Collective Parking
- (a) Description. Shared parking is an arrangement whereby two (2) or more owners of nonresidential properties or uses with different peak hour parking demands use the same off-street parking spaces to satisfy their off-street parking requirements.
 - (b) General. The Zoning Official may approve shared parking, subject to the following standards:
 - (i) Eligible Uses. Shared parking is allowed among different land use types or among uses with different peak hours of operation.
 - (ii) Allocating Parking to Other Properties. Only those properties having and able to maintain parking in excess of minimum parking requirements for uses located on that property may participate in shared parking arrangements to make parking in excess of the minimum required available to other properties.
 - (iii) Ineligible Uses. Accessible parking spaces (for persons with disabilities) may not be shared and must be located on-site.
 - (iv) Location. Shared parking spaces shall be located within 750 feet of the primary entrance of all properties served, unless shuttle bus service is provided between the properties and the parking lot.
 - (v) Shared Parking Study. Applicants wishing to use shared parking as a means of satisfying parking requirements shall submit a shared parking analysis to the Zoning Official for the underlying jurisdiction in which the property is located that clearly demonstrates the feasibility of shared parking. It shall address, at minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing parking spaces.
 - (vi) Agreement. Applicants shall provide a shared parking agreement, in a form as approved by the underlying jurisdiction and executed by the parties establishing the shared parking arrangement. Shared parking privileges will continue only so long as the agreement, binding on all parties, remains in force. Should the agreement cease to be in force, parking must be provided as otherwise required within this Section. Shared parking agreements shall be recorded for all properties involved in the agreement with the DuPage County Recorder of Deeds.
 - (vii) Shared Parking within Shopping Centers. Cumulative parking requirements for mixed-use occupancies may be reduced if it can be determined that the peak parking needs of the several occupancies occurs at different times during the day as determined by the Zoning Official of the local jurisdiction upon finding that:

- (1) the collective parking area is located within 750 feet of each of the uses, as measured from the entrance of each use to the nearest parking space in the shared parking area;
 - (2) convenient, safe, accessible, and visible pedestrian connections are located between the parking area and all of the shared properties;
 - (3) the shared parking study shows that the commercial properties do not have the same peak hours of operation; and
 - (4) the conditions making the shared parking agreement appropriate will remain for the duration of the shared parking agreement.
9. Bicycle Parking. Bicycle parking shall be provided in accordance with the following:
- (a) All new development, except single-unit detached dwellings and townhomes, shall provide at least three (3) bicycle parking spaces. No development shall be required to provide more than ten (10) bicycle parking spaces.
 - (b) All nonresidential developments which provide automobile parking facilities shall provide bicycle parking facilities (bike racks) with space for bicycles at a ratio of at least one (1) bicycle parking space for every ten (10) automobile parking spaces.
 - (c) Multi-unit developments shall provide interior bicycle parking facilities for building residents at a ratio of at least one (1) bicycle parking space for every three (3) dwelling units. Such bicycle parking facilities must be provided near the building entrance accessible to the street.
 - (d) Bicycle parking facilities for nonresidential developments and bicycle parking facilities provided for the visitors of public uses shall be located no farther than fifty (50) feet from the building entrance, or shall be located at least as close as the closest automobile space, whichever is farther.
 - (e) Each bicycle parking facility shall be securely anchored to the ground and designed to secure the bicycle frame when used in conjunction with a user-supplied lock.
10. Visitor Parking: All residential developments other than single-unit detached dwellings shall provide off-street visitor parking spaces in addition to the parking required for residents as follows:
- (a) Townhomes: 0.15 spaces per dwelling unit, with a minimum of 2 spaces required if less than 8 units are developed.
 - (b) Multi-unit developments: 0.15 spaces per dwelling unit.
11. Land Banking: The underlying jurisdiction may grant relief from these parking requirements to allow land banking up to twenty-five percent (25%) of the required parking spaces, provided that:
- (a) such authorization is granted by the elected body of the authorized jurisdiction;
 - (b) sufficient evidence is provided by the applicant that supports reduced parking needs;
 - (c) the area proposed for land banking of parking spaces is suitable for parking at a future time;
 - (d) landscaping of the land-banked area is in full compliance of the zoning regulations of the permitting jurisdiction and, at a minimum, landscaped with turf and additional landscaping of the land-banked area as may be required by the permitting jurisdiction;
 - (e) the land-banked area will not be used for any other use, and cannot be used to fulfill any landscaping or open space requirements; and

- (f) the Zoning Official of the underlying jurisdiction, based on a determination that increased parking is necessary on the site, or that provided parking proves inadequate, may require the conversion of all or part of the land-banked area to off-street parking spaces. The owner may convert the land-banked area to parking prior to such notification, subject to all required permits.
12. Standards for Stacking at Drive-Through Facilities.
- (a) Required Stacking Spaces. Every drive-through establishment, constructed after the effective date of this Overlay, shall provide a minimum of five (5) stacking spaces per drive through facility lane.
- (b) Design and layout.
- (i) The stacking spaces shall be designed so as not to interfere with the ingress and egress to the off-street parking, traffic circulation on- or off-site, or traffic visibility.
- (ii) Drive-through establishments shall provide stacking spaces and a bypass lane of a width and configuration approved by the underlying jurisdiction.
- (iii) Stacking spaces should be separated from pedestrian paths or marked with signs to indicate such path to drivers and a requirement to yield to pedestrians.
13. Electric Vehicle (EV) Charging Points: Electric vehicle (EV) charging is permitted anywhere a vehicle may be parked within a designated parking lot or structure. If EV charging points are provided, they shall comply with the following:
- (a) EV charging station equipment may not block the public right-of-way;
- (b) EV charging station equipment must be designed and located to not impede pedestrian, bicycle, or wheelchair movement or create safety hazards on sidewalks or in drive areas;
- (c) adequate protection of EV charging station equipment from vehicles must be provided, such as curbing, bollards, or wheel stops;
- (d) public EV charging stations must be posted with signage indicating that the space is reserved for EV charging purposes only.
- (e) EV charging stations must be maintained by the owner of the property or the EV station, whose contact information shall be provided on the EV equipment.
- (f) EV charging spaces may be counted towards off-street parking requirements.
- (g) Permitting Jurisdictions can defer to their underlying requirements surrounding EV regulations as they deem appropriate.
14. Parking or Storage Surfaces. Parking and storage of all vehicles shall be on a paved surface (asphalt, concrete or other paving material approved by the permitting jurisdiction). All parked or stored vehicles shall have current license plates and be in operating order. For the purpose of this Overlay, a stored vehicle shall be one not moved for more than 72 hours.
15. Parking of Inoperable Vehicles: No vehicle that cannot be moved under its own power or does not have current licensing may be parked or stored at any location in the Overlay, unless located in any Commercial or Employment grouping and screened from view from adjacent Rights of Way and properties.
16. Parking of recreational vehicles shall be regulated per the underlying jurisdiction in which the property is located.
17. Temporary placement of storage containers (such as PODS) in the Overlay shall be in conformance with applicable regulations of the underlying jurisdiction, or limited to 72 hours if not otherwise regulated.

- 18. Vehicles parked or stored within the Overlay shall be for use by residents, visitors, customers, or employees of the property on which the parking area is located, or otherwise specifically accessory to a principal use of the property.
- 19. Accessible Parking: Accessible parking spaces for persons with disabilities shall be provided as required per Illinois law.
- 20. Parking Lot Landscaping: See Section V.
- 21. Limitations of Use of Off-Street Parking Areas in Commercial, Industrial, and Institutional Designated Properties:
 - (a) No automobile repair, maintenance or body work may be conducted in an area otherwise designated for parking of vehicles.
 - (b) Unless authorized by a shared parking agreement, all parking of vehicles shall be in service to, for users of, or otherwise accessory to the principal use.
 - (c) There shall be no vehicle storage in designated parking areas.
 - (d) Storage of recreational vehicles in designated parking areas is prohibited.

D. Required Off-Street Parking

- 1. Similar Uses. Uses not specifically designated in Table 6: Off-Street Parking Requirements schedule shall meet the parking requirements of the most similar use, as determined by the Zoning Official of the underlying jurisdiction in which the property is located.
- 2. Square Footage. All references to square feet in Table 6 shall be based on gross square feet.
- 3. Mixed Uses. When two or more uses are located on the same lot or within the same building, parking spaces equal in number to the sum of the separate requirements for each shall be provided, unless otherwise authorized in connection with a zoning entitlement of the underlying jurisdiction.
- 4. Computation. If calculating the number of off-street parking spaces required by the Overlay results in a fractional space, any partial space of 0.5 space or less may be disregarded while any partial space in excess of 0.5 space shall be counted as one parking space.

Table 6: Off-Street Parking Requirements

1. Residential Uses	Required Number of Off-Street Parking Spaces
Single-Unit Detached Dwelling	2 per dwelling unit
Townhomes	2 per dwelling unit
Multi-unit Dwellings	1.25 per dwelling unit
Skilled Care Facility	1 per dwelling unit
Community Residences	1.25 per sleeping room
2. Commercial Uses	
Business Services	3.5 per 1,000 s.f.
Indoor Retail Sales	
Personal Services	
Professional, Business or Medical Offices	
Restaurants (Including Coffee Shops)	
Animal Hospitals	2.5 per 1,000 s.f.
Child Care Centers	
Financial Services	

Pet Care Services	
Restaurants (Not Including Coffee Shops)	10 per 1,000 s.f.
Indoor Recreation Facilities	1 per 3 persons of design capacity
Park or Open Space	1 per 3 persons of design capacity
Car Wash	2.5 per 1,000 s.f. of office / retail area plus 3 per individual wash bay
Motor Vehicle Sales	2.5 spaces per 1,000 s.f. of sales and office area
Gas / Fueling Stations	3.3 parking space 1,000 s.f. total retail space plus parking for restaurants or other accessory uses
Hotel / Motel	1 per guest room plus parking for restaurants or other accessory uses.
Motor Vehicle Repair	4 per service bay plus 2.5 per 1,000 s.f. of office space

3. Employment

Light Industrial	1 space per 1,000 s.f. (any incidental office area calculated at 4 spaces per 1,000 s.f.).
Logistics / Warehouse	

4. Institutional

Places of Assembly	1 per 3 persons of design capacity in main assembly area.
Places of Worship	

E. Required Loading Docks

All off street loading for new or expanded Commercial, Employment or Institutional Use Groups shall meet the following requirements or those of the permitting jurisdiction. The Zoning Official may decide to replace any of the requirements in this Section with those of the underlying jurisdiction upon finding that local standards are more fitting for a specific situation or use based on safety, lot size, lot configuration, or relationship to adjacent properties.

1. Location.

- (a) All required docks shall be located on the same zoning lot as the use served.
- (b) No loading dock shall be closer than fifty feet (50 ft.) to any property in a residential zoning district of any corridor jurisdiction unless completely enclosed by building walls, or a solid fence or wall, or any combination thereof sufficient to screen loading activities.
- (c) Off-street loading docks may be located in required rear or side yard, except no loading dock may be located within twenty feet (20 ft.) of adjacent residential zoning grouping.
- (d) No portion of a loading dock shall be located in any required front or side yard.

2. Size. Unless otherwise specified, a required loading dock shall be sized as follows:

- (a) At least twelve feet (12 ft.) in width
- (b) At least fifty five feet (55 ft.) in length, exclusive of aisles and maneuvering space.
- (c) Have a vertical clearance of at least sixteen feet (16 ft.)

3. Design and Maintenance:

- (a) Construction and Surfacing: All loading docks shall be on an asphalt or concrete surface, as approved by the Zoning Official of the underlying jurisdiction.
- (b) Circulation and Access: Off-street loading areas shall be designed so as to not require the use of any street for maneuvering space into or out of the loading dock. Adequate space to accommodate the turning radii of trucks and trailers, exclusive of any parking spaces and landscaping shall be provided.
- 4. Measurement of Dock: When determination of the number of required off-street loading docks results in a requirement of a partial dock, any calculated value of one-half (0.5) loading dock or less may be disregarded, while a calculated value in excess of one-half (0.5) shall be counted as one loading dock.
- 5. Schedule of Loading Requirements: Off-street loading docks shall be provided for nonresidential land uses based on the following:
 - (a) Loading Dock Basis: The number of loading docks required shall be based upon the gross floor area devoted to such use.
 - (b) Schedule: Unless otherwise indicated, the loading requirements shall be based on the floor area of the building(s) as shown in Table 7, Schedule of Required Loading Docks, below:

Table 7: Schedule of Required Loading Docks

0 – 4,999 square feet	0 loading docks
5,000 - 15,000 square feet	1 loading dock
15,001 - 50,000 square feet	2 loading docks
50,001 - 100,000 square feet	3 loading docks
Each additional one hundred thousand (100,000) square feet or fraction thereof more than the first one hundred thousand (100,000) square feet shall require one additional loading dock.	

V. LANDSCAPING AND BUFFERING

A. Purpose

The character, feeling, and appreciation of a commercial corridor often results from the landscaping along it. Likewise, individual sites can see substantial aesthetic enhancement from thoughtful landscaping along the perimeter and interior of parking lots, as well plantings along buildings and property edges. Landscaping also serves as a tool to enhance building facades, buffer incompatible land uses, and enhance the environment. This section establishes a consistent set of standards for these factors within the Overlay.

B. Applicability and Landscape Plan Procedures

- 1. Landscape Plan Required. For all developments requiring landscaping in accordance this Section, a landscape plan shall be provided to the underlying jurisdiction. Submittal

requirements for the underlying jurisdiction regarding landscape plans shall be applied as determined by the Zoning Official.

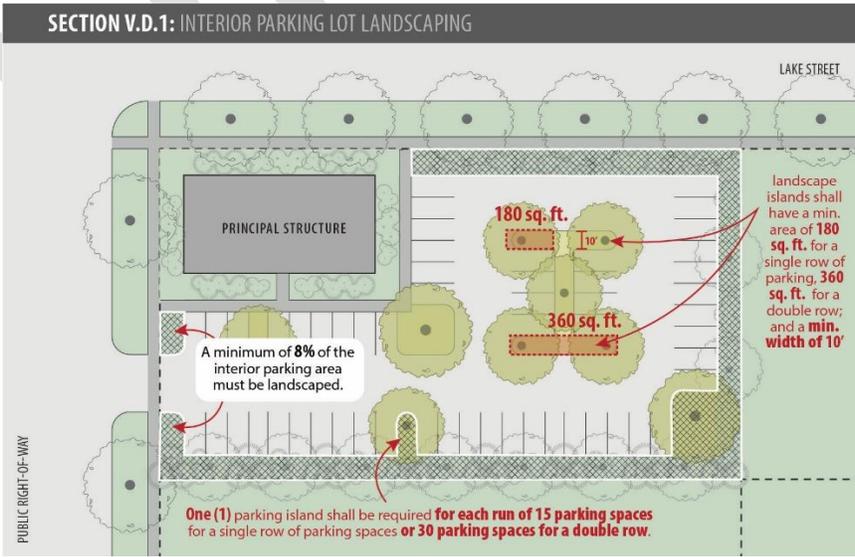
2. Conflicts and Additional Requirements: Where the landscaping standards of this Section and those of the permitting jurisdiction conflict, the local Zoning Official shall, in their sole authority, determine which set of standards apply, based on the screening, aesthetic, impact on adjacent properties, and planting feasibility of the proposed landscape plan. Further, if local landscape codes include requirements for installation or management of planting not considered in this Chapter, those regulations of the permitting jurisdiction shall apply.
3. Alternative Compliance: In the case where site constraints related to site size, impacts to adjacent properties, visibility required for businesses, or safe operations exist that may limit ability to conform to landscape standards in this section, the Zoning Official may allow for alternatives found to be of equal or greater design quality as what would have otherwise been installed per requirements of this Section.

C. Tree Preservation, Removal & Replacement

Tree preservation, removal, and replacement shall be as required by the underlying jurisdiction in which the property is located.

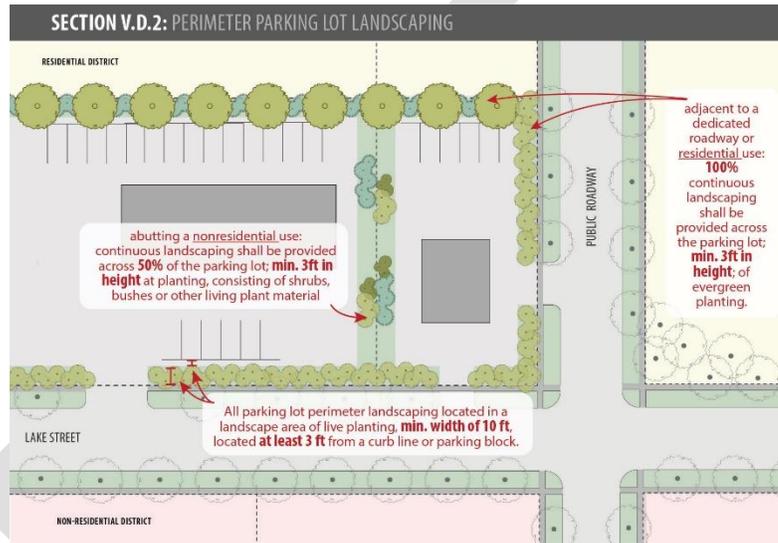
D. Parking Lots: Parking lot landscaping is required for all parking lots with ten (10) or more parking spaces.

1. Interior Parking Lot Landscaping
 - (a) One parking island shall be required for each run of fifteen (15) parking spaces for a single row of parking spaces or thirty (30) parking spaces for a double row.
 - (b) Parking islands are required to be minimum of 162 square feet (162 s.f.) for a single row of parking and 324 square feet (324 s.f.) for a double row of parking.
 - (c) Parking islands shall be the same width as the permitted parking space.
 - (d) A minimum of eight percent (8%) of the interior parking area shall be landscaped.



2. Perimeter Parking Lot Landscaping

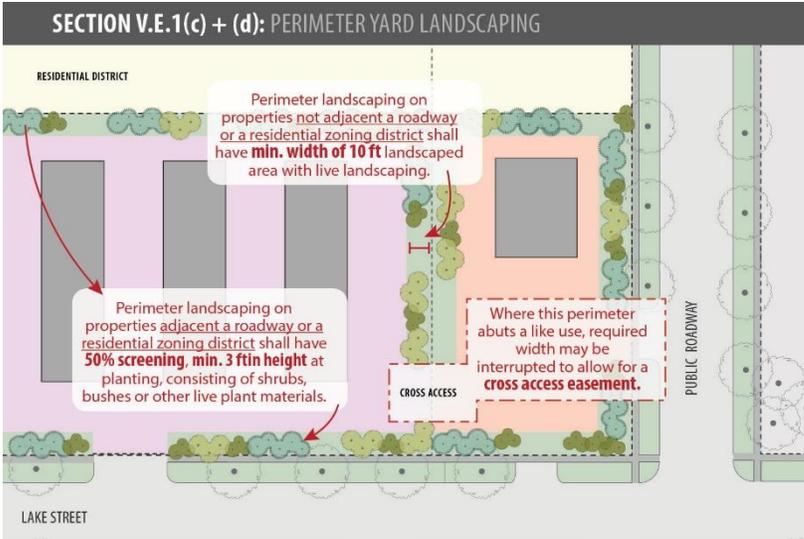
- (a) Parking lot perimeters that are adjacent to a roadway or residential zoning district shall have 100% continuous screening of evergreen planting with a minimum height of three (3) feet of planting.
- (b) Parking lot perimeters not adjacent to a roadway or residential zoning district shall have 50% screening, consisting of shrubs, bushes, or other living plant material with a minimum height of three (3) feet of planting.
- (c) All parking lot perimeter landscaping shall be located in a landscape area of live planting with a minimum width of ten (10) feet. To prevent damage to that landscaping, perimeter parking lot landscape parking shall be located at least three (3) feet from a curb line or parking block.



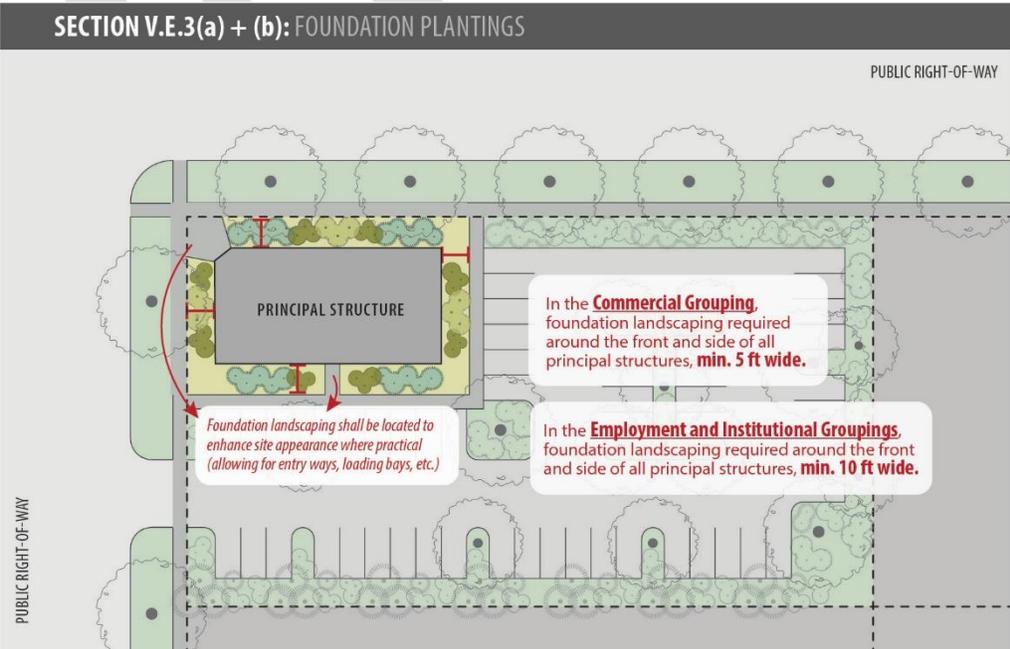
E. Additional Landscape Requirements

1. Perimeter Yard Landscaping.

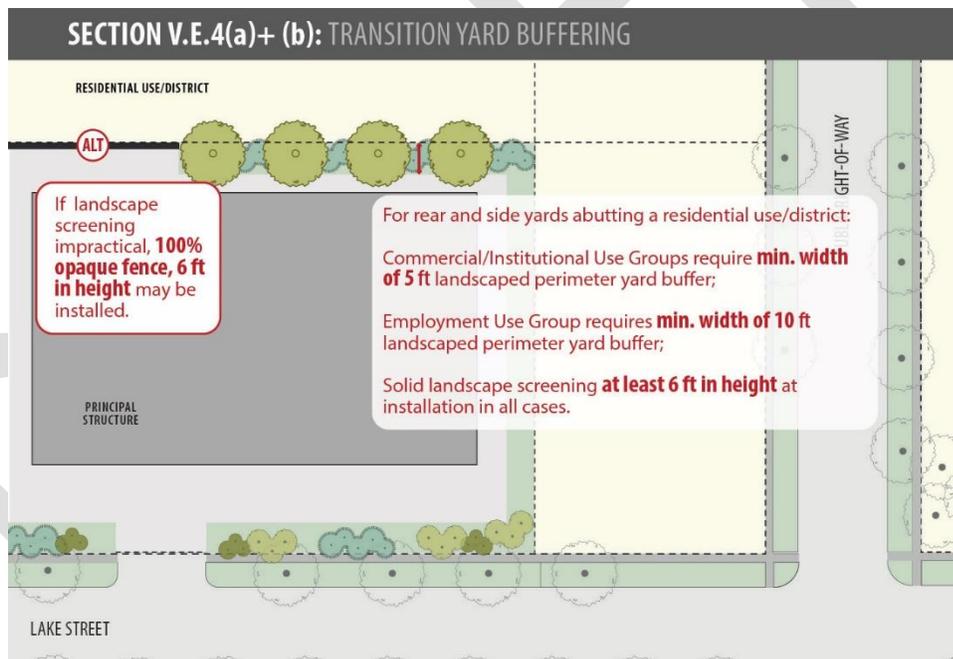
- (a) Perimeter landscaping shall be required on all Commercial, Employment, and Institutional designated properties.
- (b) When the perimeter of a regulated property includes a parking lot, the standards of Section V.D.2 above shall apply. When no parking lot is present along the perimeter, the requirements of subsections V.D.E.1(c) and V.D.E.1(d) below shall apply.
- (c) Perimeter landscaping on properties adjacent to a roadway or a residential zoning district shall have 50% screening consisting of shrubs, bushes, or other living plant materials with a minimum height of three (3) feet of planting.
- (d) Perimeter landscaping on properties not adjacent to a roadway or residential zoning district shall have landscaped area with live landscaping, with a minimum width of ten (10) feet. Where this perimeter abuts a like use (e.g., Commercial to Commercial, Employment to Employment) the Zoning Official of the underlying jurisdiction in which the property is located may allow for the required width to be interrupted to allow for a cross-access easement.



2. Right-of-way Landscaping: Right-of-way landscaping shall be required according to the standards of the underlying jurisdiction.
3. Foundation Plantings:
 - (a) In the Commercial grouping, foundation landscaping shall be a minimum of five (5) feet wide around the front and side of all principal structures except where impractical (e.g., entry ways, loading bays). Plantings shall be located to enhance site appearance and may include shade and ornamental trees, low shrubs (evergreens or deciduous), hedges, or other live planting materials.
 - (b) In the Employment and Institutional Land Use Groupings, foundation landscaping shall be a minimum of ten (10) feet wide around the front and side of all principal structures except where impractical (e.g., entry ways, loading bays). Plantings shall be located to enhance site appearance and may include shade and ornamental trees, low shrubs (evergreens or deciduous), hedges, or other live planting materials.



4. Transition Yard Buffering:
- (a) For uses in the Commercial Use and Institutional Land Use Groupings having rear and side yards abutting a residential zoning district or use in any underlying jurisdiction, a five-foot wide landscaped perimeter yard is required. That perimeter yard shall include solid screening of landscaping at least six (6) feet high at installation. If space limitations make landscape screening impractical to install, the Zoning Official of the underlying jurisdiction in which the property is located may authorize a 100% opaque six-foot fence to be installed abutting the property line. In such instances, the finished side of the fence shall face out toward the residential property.
 - (b) Uses in the Employment Land Use Grouping having rear and side yards abutting a residential or commercial zoning district or use in any jurisdiction, a 10-foot wide landscaped perimeter yard is required. That perimeter yard shall include solid screening of landscaping at least six (6) feet high at installation. If space limitations make landscape screening impractical to install, the Zoning Official of the underlying jurisdiction in which the property is located may authorize a 100% opaque 6-foot fence to be installed abutting the property line. In such instances, the finished side of the fence shall face out toward the residential property.



F. Best Management Practices

Best Management Practices (BMPs) are encouraged in developments through appropriate application of landscape design, site construction, and landscape maintenance practices. Use of BMPs in a development or redevelopment as a stormwater management tool or aesthetic landscaping strategy may be incorporated into a landscape plan and installed upon authorization of the Zoning Official for the underlying jurisdiction.

1. Permeable Pavement and Pavers: Permeable pavement and pavers are an alternative method of hard surface that allows stormwater runoff to filter through voids material. The use of this porous material can help promote the natural cleaning and infiltration of water, instead of allowing it to wash into streets and down storm drains. Use of this material is allowed in designated drive or path areas and is subject to approval from the Zoning Official for the underlying jurisdiction.
2. Native Plantings: Bioswales, rain gardens, and detention ponds planted with or surrounded by native planting species are encouraged to capture, treat, and slow down stormwater runoff. These areas provide an aesthetically pleasing environment and may be installed upon approval by the Zoning Official for the underlying jurisdiction.
3. Parking Lot Drainage: Stormwater drainage is an integral component in the design of parking lots. Stormwater may be infiltrated into the parking lot planting areas and then drained to a specified area. This approach can clean, detail, and direct stormwater and may be installed upon approval by the Zoning Official of the underlying jurisdiction.



VI. GENERAL PROVISIONS

A. Purpose

This section provides Lake Street corridor specific standards for accessory elements of development in the Overlay. These standards are additive to those that are in place in the underlying jurisdiction’s zoning. Where the standards of this section are also in place in the underlying jurisdiction, the standards contained in the underlying zoning district will control.

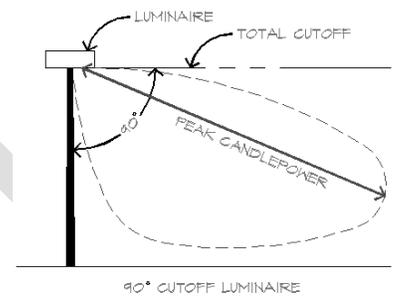
B. Outdoor storage

1. Trash Enclosures:
 - (a) A permanent enclosure for storage of garbage, recycling and other waste containers shall be provided for properties in the Commercial, Employment, and Institutional Land Use Groupings.
 - (b) Trash enclosures may not be located in any front yard or corner side yard, and shall be located to minimize visibility from residential properties and rights-of-way.
 - (c) A trash enclosure shall be enclosed on four (4) sides, with the fourth side including an access gate. Enclosures shall be a minimum of four (4) feet in height and of sufficient height to conceal contents on all sides including containers. All trash enclosures shall be placed on a concrete surface unless otherwise approved by the Zoning Official of the underlying jurisdiction.
2. Business Related Storage and Activities: Outdoor storage or other outdoor business activity related to any property in the Commercial or Employment Land Use Groupings shall meet the following requirements:

- (a) outdoor storage shall be effectively screened and enclosed by a solid wall or fence at least six (6) feet in height;
- (b) where a six-foot tall screen is determined by the Zoning Official for the underlying jurisdiction to be inadequate to screen storage or other activities, a fence up to eight (8) feet may be authorized by that Zoning Official; and
- (c) where fences are used to screen business-related storage, such fence shall be 100% opaque. Fences shall be constructed of wood or composite material as approved by the underlying jurisdiction. Chain link fences with slats are prohibited.

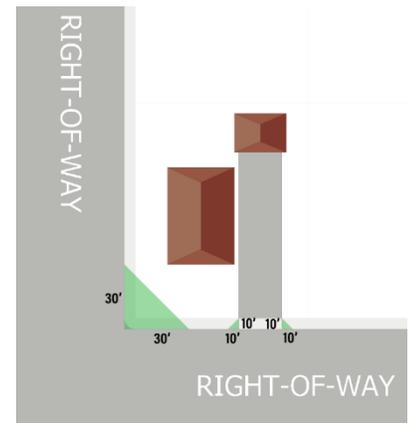
C. Lighting

Lighting fixtures used on properties in Commercial, Employment and Institutional Land Use Groupings shall be designed and installed to reflect light away from adjoining properties in a manner that does not produce glare clearly visible beyond a property line. All lighting shall minimize glare by using recessed, shielded, or cut-off fixtures with a cut-off angle of 90 degrees such that the light sources are not visible from the property line. Light sources shall not cause illumination in excess of one (1) foot-candle in at a property line abutting a residential use, or less if required by regulations of the local jurisdiction.



D. Sight Triangle:

- 1. A sight triangle is established on private property at the intersection of two (2) streets or a street and a driveway in which nothing shall limit or obstruct the sight distance of motorists and pedestrians.
- 2. No building, structure, fence, sign, landscaping, or other obstruction whether temporary or not, may be in the sight triangle.
- 3. The sight triangle is defined as the area between three feet (3 ft.) above grade and eight feet (8 ft.) above grade, the sides of which are formed by the right-of-way lines of two (2) streets, a street and an alley, or a street and a driveway on a lot.
- 4. The sides of a sight triangle along intersecting street rights-of-way shall be thirty feet (30 ft.) long. The sides of a sight triangle along a driveway or alley shall be ten feet (10 ft.) long when intersecting with a street right-of-way.



E. Temporary Uses and Structures

Temporary uses and structures may be allowed in the Overlay as authorized by the underlying jurisdiction in which they are located, and shall be operated in keeping with the controlling regulations of that jurisdiction. If no such regulations exist in the local jurisdiction, the following standards shall apply. In applying these standards, the Zoning Official shall consider whether the proposed use or structure can be installed and maintained in a safe manner and in keeping with the intent of the underlying zoning regulations.

- A. Temporary Construction Offices: A permit for Temporary Construction Offices may be granted by the jurisdiction in which the property is located provided the proposed use is:
 - 1. located on the same property as the construction work,

2. removed prior to the issuance of a final occupancy permit for the development,
 3. not inclusive of any outside storage or signage, and
 4. in conformance with all requirements for such structures in the underlying jurisdiction.
- B. Model Homes or Residential Sales Office. A permit for Model Home or Sales Office may be granted by the jurisdiction in which the property is located provided the proposed use is:
1. not occupied for residential living purposes during the term of the model home permit;
 2. removed, or sold or leased as a dwelling, once a building permit is issued for construction of the last new dwelling in the development;
 3. served with temporary off-street parking facilities as may be required by the Zoning Official for the underlying jurisdiction to allow safe access to the site and not interfere with traffic safety;
 4. not used to store construction materials in or around on the site; and
 5. equipped with signage in conformance with the standards of the underlying jurisdiction in which it is located.
- C. Outdoor Christmas Tree Sales. A permit for Outdoor Christmas Tree Sales may be granted by the underlying jurisdiction in which the property is located provided the proposed use is:
1. located on a lot of not less than one (1) acre;
 2. in operation for a period not to exceed thirty (30) days;
- Outdoor Christmas Tree Sales need not comply with minimum yard requirements provided in this section, provided that no trees shall be displayed within:
- a. ten feet (10 ft.) of any driveway or street right-of-way; or
 - b. thirty feet (30 ft.) of the intersection of the rights-of-way of any two (2) streets

VII. SIGNAGE

This section provides specific standards for signage along the Lake Street Corridor. Signs are an important element with which to define the overall appearance of an area. These regulations create a consistent character and standard for commercial signage along the corridor. Permitting Jurisdictions can defer to their underlying requirements surrounding sign regulations as they deem appropriate.

A. Permitted Signs

1. Monument Signs
2. Low Profile Pole Signs
3. Wall Signs (installed as Pin or Raceway mounted)
4. Electronic Sign
5. Temporary signs
6. Window Signage
7. Any sign otherwise permitted by the local jurisdiction but not listed as a prohibited sign below

B. Prohibited Signs

1. Pole Signs
2. Feather Signs
3. Wall signs (installed as cabinet mounted)
4. Off Premise Advertising Signs (billboards)
5. Any sign otherwise prohibited by the local jurisdiction

C. Sign Design Standards: Unless otherwise specified in this Section, all sign design regulations applied by the local jurisdiction will control.

1. Sign Height: Sign heights shall be as regulated by the underlying jurisdiction.
2. Sign Size: Sign sizes shall be as regulated by the underlying jurisdiction.
3. Misc. Sign Design Standards
 - (a) Only 1 temporary sign shall be permitted per lot.
 - (b) For raceway mounted signs: The raceway shall be the same color as the wall to which the raceway is mounted.
 - (c) Landscaping for monument signs shall be as required by the underlying jurisdiction, or as otherwise approved by the Zoning Official to define an attractive sign base area.

D. Nonconforming Signs

1. Any sign located within the Overlay on the effective date of this Ordinance that does not conform to the provisions of this Ordinance is a “legal nonconforming” sign, provided it also meets the following requirements:
 - (a) The sign was approved by:
 - (i) a sign permit issued by the underlying jurisdiction prior to the effective date of this Ordinance, or amendment to this Ordinance, if a permit was required under the applicable local zoning regulations; or
 - (ii) if no sign permit was required under the applicable local zoning regulations for the sign in question, the sign was in all respects in conformity with the applicable local zoning regulations (including planned development approval documents) immediately prior to the effective date of this Ordinance, or the sign was legal nonconforming at the time this Ordinance became effective; and
 - (b) The sign is a permanent sign.
2. A nonconforming sign which has been damaged by fire, wind, or other cause in excess of fifty percent (50%) of its replacement cost shall not be restored except in conformance with this Chapter.
3. If an element of a sign that causes the sign to be nonconforming is removed, it shall not be replaced, except with a conforming element.
4. If a nonconforming sign structure does not display any message for a period of thirty (30) days, it must be removed or brought into conformance with this chapter.
5. If a nonconforming sign structure is removed for any reason other than routine repair and maintenance, it will not be replaced unless the replacement sign conforms to this chapter.
6. Nonconforming signs that are a danger to the public safety, as determined by the Zoning Official for the underlying jurisdiction, must be removed and will not be replaced unless the replacement sign conforms to this Code.

VIII. DEFINITIONS

Animal Hospital: Any building or portion thereof designed or used for the care, observation or treatment of domestic animals. Animal Hospital shall include:

- (1) *Veterinary clinic*: a facility rendering surgical and medical treatment to domestic animals but having overnight accommodations for no more than four (4) domestic animals. Crematory facilities shall not be allowed in a veterinary clinic.
- (2) *Veterinary hospital*. A facility rendering surgical and medical treatment to domestic animals, and having no limitation on overnight accommodations for such animals Crematory facilities shall not be allowed in a veterinary hospital.

Banner Sign: A temporary advertising sign which is not attached to a permanently mounted backing.

Business Office: Any building or part thereof in which one or more persons are employed in the management, direction, or conducting of an agency, business, brokerage, or organization and shall exclude such uses as retail sale, manufacturing, assembly or storage of goods, places of assembly, places of worship, and amusement facilities.

Business Services: Activities that benefit businesses which do not include the supply or delivery of a tangible commodity. Business services include but are not limited to information technology, office administration, training, consulting, and marketing.

Cabinet Mounted Sign: A form of wall sign where letters, words or graphics are placed on a panel that forms the front of a cabinet box, which is attached to a structure.

Car Wash: A building or portion thereof containing facilities for washing



motor vehicles. It may use automatic production line methods—a chain conveyor, blower, steam cleaning device, or other mechanical devices—or it may provide space, water, and equipment for the handwashing of motor vehicles, whether by the customer or the operator.

Child Care Centers: Any person, group of persons, agency, association, or organization, whether established for gain or otherwise, who or which receives or arranges for care or placement of one (1) or more children, unrelated to the operator of the facility, apart from the parents, with or without the transfer of the right of custody in any facility as defined by the Child Care Act of 1969, established and maintained for the care of children. Child care facilities include day care centers.

Community Residence: Facilities containing living arrangements primarily for unrelated elderly persons or persons with disabilities. Paid professional support staff provided by a sponsoring agency living with the residents on a 24-hour basis or available in accordance with the particular needs of the residents may also be present. Common features of Community Residences include a common kitchen, dining area, and entertainment area(s) for the purpose of assisting the residents in returning to or maintaining a semi-independent lifestyle.

Drive-Through Facility: Any building or structure or portion thereof that is designed, intended, or used to transact business with persons in a motor vehicle. These facilities include but are not limited to those to be used by restaurants, banks, financial institutions, retailers, pharmacies or any establishment having drive-up or curbside service(s).

Electronic Sign: A sign which exhibits changing and/or illuminated messages.

Feather Sign: A temporary sign typically supported on a single pole with the message on one side of that pole and unsupported on the other.

Financial Services: Facilities including commercial banks, currency exchanges, savings and loan associations, brokerage offices, and other similar financial institutions, but not including loan offices, finance companies, and pawn shops.

Gas Station (Fueling Station): Any building or premises used for dispensing, sale, or offering for sale any automotive fuels or oils which has pumps and storage tanks. When such dispensing, sale or offering for sale of any fuels or oils is incidental to the conduct of an automotive repair garage, the premises shall not

be classified as a gas station or fueling station. Gas stations shall not include automobile or trailer sales lots, new or used, on which such vehicles are parked for purposes of inspection are sale. The sale or offering for sale of food or any other retail goods or services shall be permitted only when specifically granted in a special/conditional use permit by the underlying jurisdiction.

Hotel (Motel): An establishment containing lodging accommodations designed for use by transients, travelers, or temporary guests.

Indoor Recreation / Athletic / Amusement Facilities: Any building used for sports, active recreation, and amusement where such activity is entirely within a closed building, including but not limited to ice arenas, gymnasiums, swimming pools, and bowling alleys which may or may not include meeting rooms and eating and/or drinking establishments as accessory uses.

Indoor Retail Sales: The sale of commodities and services directly to customers when such commodities and services are used or consumed by the customer and not purchased primarily for the purpose of resale, taking place entirely within an enclosed building.

Lake Street Overlay District (Overlay): The collective area regulated by the Lake Street Overlay District adopted by Bloomingdale, DuPage County, Hanover Park, and Roselle.

Light Industrial: Uses characterized as low-nuisance industrial activities including, but not limited to, electronic and scientific precision instruments manufacture, cloth products manufacture, light machinery production and assembly, custom woodworking shop, and printing and publishing.

Logistics: The process of managing how commercial resources are acquired, stored, and transported in a supply chain including, but not limited to warehousing, inventory management, packing, and shipping of resources.

Low Profile Pole Sign: A form of freestanding sign having two pylon support structures and the area under the sign face, rather than have a base structure for the sign.

Medical Office: A medical facility used for offices for more than one doctor for the examination and treatment of patients, which doctors may be associated together or practicing independently of each other, while sharing the facilities and equipment therein, and shall not include a facility devoted primarily for the purpose of surgical procedures. Such facility shall not provide beds or other accommodations for the overnight stay of patients.



Monument Sign: A freestanding sign, other than a pole sign, in which the entire bottom is in contact with or close to the ground.

Motor Vehicle Repair: The equipment, repair, service, hiring, sale, or storage of motor vehicles in any building other than a private residential garage or storage garage.

Motor Vehicle Sales: The sale or rental of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles, or boats, including incidental storage, maintenance, and servicing.

Multi-Unit Dwelling: A dwelling containing more than three (3) dwelling units which use as their principal means of egress entryways, hallways, stairways or corridors common to two (2) or more dwelling units. The definition may include, but shall not be limited to, the following types of dwelling: apartment, condominium, and cooperative.

Off Premise Advertising Sign: A sign advertising a land use, business, product or service, not located or available upon the premises whereon the sign is located.

Open Space (Public): Areas permanently reserved for open space purposes which are owned, operated, and maintained by a local political jurisdiction with no limitations on access or use.

Outdoor Dining Area: A designated area located outside of and adjacent to a building which has the principal use as a restaurant which allows patrons to sit at tables while consuming food and beverages ordered from within the restaurant and/or served by a waiter or waitress.

Overlay Jurisdiction: An overlay community is any one of the jurisdictions that has adopted the Lake Street Corridor Overlay and includes Bloomingdale, DuPage County, Hanover Park, and Roselle.

Park Space: A public park, forest preserve, or conservation area owned, operated, and maintained by a local political jurisdiction.

Permanent Sign: A sign constructed of durable material and affixed, lettered, attached to, or placed upon a fixed, non-movable, nonportable supporting structure.

Personal Services: Uses that provide a variety of non-medical services associated with frequent, recurrent, and instructional needs, including but not limited to personal grooming, fitness and leisure activities, and individual or group instruction or training.

Pet Care Services Facility: A facility which provides services for the care of domestic animals, including pet grooming services and pet boarding services, but excluding kennels.

- (1) *Pet Grooming Services:* Services including clipping, bathing, and related services, except those of a veterinary nature, that are rendered to dogs, cats, and other domestic pets.
- (2) *Pet Boarding Services:* The keeping and care of four (4) or more dogs, cats, or other domestic pets in return for remuneration, but excluding the breeding or retail sale of domestic pets.

Pin Mounted Sign: A form of wall sign where letters, words, or graphics are mounted directly onto the wall.



Place of Assembly: A building or portion thereof where individuals gather to participate in or observe programs or services, or assemble for social or fraternal purposes, including, but not limited to government offices, libraries and membership clubs when used for programming or the assembly of individuals as contemplated by this definition.

Place of Worship: A building or portion thereof, owned by a religious institution which has tax-exempt status, which is used for the gathering of a religious or faith-based organization for worship services and/or spiritual purposes.

Pole Sign: A freestanding sign that is affixed, attached, or erected on a pole or poles and that is not itself an integral part of or attached to a building or structure.

Professional Office: A building or portion thereof used for administrative, clerical, and professional work, including but not limited to financial services, real estate, insurance, legal services, medical services, accounting, and bookkeeping.

Raceway Sign: A form of wall sign where letters, words or graphics are attached to a raceway that is mounted to the wall.



Restaurant: Any place of business being operated where there is furnished, for sale, food or drink of any kind for consumption therein.

Sign: Any object or device containing letters, figures, and/or other means of communication or part thereof, situated outdoors or indoors, of which the effect produced is to advertise, announce, communicate, identify, declare, demonstrate, display, and/or instruct potential users of a use, product, and/or service.

Single-Unit Detached Dwelling: A dwelling which is designed for and occupied by not more than one family and surrounded by open space or yards and which is not attached to any other dwelling by any means.

Site Sign: A temporary freestanding sign constructed of vinyl, plastic, wood, or metal and designed or intended to be displayed for a short period of time.

Skilled Care Facility: A facility which provides skilled nursing care, continuous skilled nursing observations, restorative nursing, and other services under professional direction with frequent medical supervision. Such facilities are provided for patients who need the type of care and treatment required during the post-acute phase of illness or during reoccurrence of symptoms in long-term illness.

Sock Sign: A temporary sign constructed of flexible material, designed to fit over a permanent sign face or mount. Sock signs are typically installed while a new permanent sign is being designed and fabricated.

Temporary Sign: A sign not designed or intended to be permanently erected, and which is permitted to be erected for only a limited period of time, including banner signs, site signs, sock signs, feather signs, and yard signs.

Townhome: A one-family dwelling in a row of at least three (3) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common fire-resistant walls.

Vehicle Storage: Locating a vehicle within a designated parking area of a Commercial, Employment, or Institutional use without being moved from the property for more than 72 hours.

Wall Sign: A sign attached to, painted on, or erected against a wall of a building, whose display surface is parallel to the face of the building, structure, or fence, and whose height does not exceed the height of the wall, structure, or fence to which said sign is attached, painted upon, or against which said sign is erected.

Warehouse: A structure, part thereof, or area used principally for the storage of goods and merchandise.

Window Sign: A sign which is applied or attached to the exterior of a window, or applied to, attached, or located within one foot of the interior of a window, which can be seen through the window from the exterior of the structure.

Yard Sign: A temporary portable sign constructed of paper, vinyl, plastic, wood, metal, or other comparable material, and designed or intended to be displayed for a short period of time.

Zoning Official: The person designated by each jurisdiction as having lead responsibility for zoning enforcement in each jurisdiction.