



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

630-407-6700
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www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: June 4, 2024

RE: **ZONING-24-000021 Komlo (York/District 2)**

DuPage County Board: June 11, 2024:

Development Committee: June 4, 2024: The DuPage County Development Committee recommended to approve the following zoning relief:

Variation to reduce the interior side setback from 10' to approximately 4' for a new detached garage.

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-24-000021 Komlo** dated May 15, 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.

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

Zoning Hearing Officer: May 15, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to reduce the interior side setback from 10' to approximately 4' for a new detached garage.

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-24-000021 **Komlo** dated May 15, 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 he requested the subject zoning relief in order to build a new, detached garage in place of the existing shed on the subject property.
- B. That petitioner testified that he has a one (1) car, attached garage and that he requires additional storage space on the subject property to store three (3) cars and household accessory equipment.
- C. That petitioner testified that due to the existing septic system and three mature trees (Mulberry, Elm, and Tamarack trees), he would need to place the proposed detached garage approximately four (4) feet from the interior side property line.
- D. That the Zoning Hearing Officer finds that petitioner has provided sufficient evidence (including site plans and photos) indicating that a proposed detached garage would need to be located approximately four (4) feet from the interior side setback in order to not impact the existing septic system and three (3) mature trees.

STANDARDS FOR VARIATIONS:

1. That the Zoning Board of Appeals 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 Board of Appeals 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 detached garage will be located in the same location of the existing shed and that it will not impair an adequate supply of light and air to the adjacent property.
- b. Increase the hazard from fire or other dangers to said property as petitioner **has demonstrated** that he will obtain a building permit for the proposed detached garage and that it will not increase the hazard from fire or other dangers to said property.
- c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed detached garage will not diminish the value of land and buildings throughout the County and that it 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 detached garage will be built behind the front wall of the house and 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 detached garage will not increase the potential for flood damages to adjacent property.
- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the proposed detached garage 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 detached garage will be built in place of an existing shed and will be an added benefit to the surrounding area , which 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-24-000021 Komlo	
ZONING REQUEST	Variation to reduce the interior side setback from 10' to approximately 4' for a new detached garage.	
OWNER	JERZY KOMLO, 0S451 SUMMIT AVENUE, VILLA PARK, IL 60181	
ADDRESS/LOCATION	0S451 SUMMIT AVENUE, VILLA PARK, IL 60181	
PIN	06-15-302-005	
TWSP./CTY. BD. DIST.	YORK	DISTRICT 2
ZONING/LUP	R-3 SF RES	0-5 DU AC
AREA	0.67 ACRES (29,185 SQ. FT.)	
UTILITIES	WELL/SEPTIC	
PUBLICATION DATE	Daily Herald: APRIL 30, 2024	
PUBLIC HEARING	WEDNESDAY, MAY 15, 2024	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	No Objections.	
Stormwater:	No Objections.	
Public Works:	Our office has no jurisdiction in this matter.	
EXTERNAL:		
Village of Villa Park:	No Comments Received.	
Village of Lombard:	“As the property is outside of our extraterritorial jurisdiction, we do not have any comments on the petition.”	
City of Elmhurst:	No Comments Received.	
City of Oakbrook Terrace:	No Comments Received.	
Village of Oak Brook:	No Objections.	
York Township:	No Comments Received.	
Township Highway:	No Objections.	
Oakbrook Terrace Fire Dist.:	No Comments Received.	
Sch. Dist. 48:	No Comments Received.	
Sch. Dist. 88:	No Comments Received.	
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
Int. Side Yard:	10'	N/A	APPROX. 4'

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	R-3 SF RES	HOUSE	0-5 DU AC
East	R-3 SF RES	HOUSE	0-5 DU AC
West	SUMMIT AVENUE R-3 SF RES	HOUSE	0-5 DU AC



