



**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: August 20, 2024
RE: **ZONING-24-000040 Jimenez (Winfield/District 6)**

DuPage County Board: August 27, 2024:

DuPage County Development Committee: August 20, 2024: The DuPage County Development Committee recommended to approve the following zoning relief:

1. Variation to reduce the west interior side setback from required 20 feet to approximately 13 feet for a house addition.
2. Variation to reduce the east interior side setback from required 20 feet to approximately 10 feet for a house addition.

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-24-000040 Jimenez** dated July 24, 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): 4 Ayes, 0 Nays, 2 Absent

Zoning Hearing Officer: July 24, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

1. Variation to reduce the west interior side setback from required 20 feet to approximately 13 feet for a house addition.
2. Variation to reduce the east interior side setback from required 20 feet to approximately 10 feet for a house addition.

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-24-000040 Jimenez dated July 24, 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 reduce the west and east interior side setbacks for a house addition.
- B. That petitioner testified that the subject property is currently zoned R-1 Single Family Residential, which requires twenty (20) foot side yard setbacks, and that the existing home was built less than twenty (20) feet from the interior side property lines.
- C. That petitioner testified that the existing home was built on an angle, and that zoning relief would be required in order to build an addition on the subject home due to the existing layout of the subject property.
- D. That petitioner testified that they have lived at the subject property for approximately seven (7) years.
- E. That the Zoning Hearing Officer finds that petitioner has demonstrated sufficient evidence for a practical difficulty and particular hardship, as petitioner indicated that the existing home was built on an angle (not perpendicular to the street) with the house setback less than twenty (20) feet on the interior sides, and that in order to build an addition onto the existing home, the addition would be less than twenty (20) feet from the interior side property lines due to the layout of the subject house on the property.

STANDARDS FOR VARIATIONS:

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 house addition will follow the existing house setbacks and therefore, 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 they will receive a building permit for the proposed house addition, and that it will be built pursuant to the current building codes.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed house addition will be an added benefit to the neighborhood and 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 house addition 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 house addition 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 house addition 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 house addition will not impair the public health, safety, comfort, morals, or general welfare and will be an added benefit to the neighborhood.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-24-00040 Jimenez	
ZONING REQUEST	1. Variation to reduce the west interior side setback from required 20 feet to approximately 13 feet for a house addition. 2. Variation to reduce the east interior side setback from required 20 feet to approximately 10 feet for a house addition.	
OWNER	MANUEL & CYNTHIA JIMENEZ, 28W649 HICKORY LANE, WEST CHICAGO, IL 60185	
ADDRESS/LOCATION	28W649 HICKORY LANE, WEST CHICAGO, IL 60185	
PIN	04-02-103-004	
TWSP./CTY. BD. DIST.	WINFIELD	DISTRICT 6
ZONING/LUP	R-1 SF RES	0-5 DU AC
AREA	0.55 ACRES (23,958 SQ. FT.)	
UTILITIES	WELL/SEPTIC	
PUBLICATION DATE	Daily Herald: JULY 9, 2024	
PUBLIC HEARING	WEDNESDAY, JULY 24, 2024	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	No Objections. "Health Department permit ONOO25079 was approved for this project."	
Stormwater:	No Objection with the concept of the petition. Additional information may be required at time of permit application.	
Public Works:	"DPC PW doesn't have any sewer or water mains in the area, they are in West Chicago Sanitary District."	
EXTERNAL:		
City of West Chicago:	<i>No Comments Received.</i>	
Village of Carol Stream:	<i>No Comments Received.</i>	
Village of Winfield:	<i>No Comments Received.</i>	
Winfield Township:	<i>No Comments Received.</i>	
Township Highway:	Our office has no jurisdiction in this matter.	
West Chicago Fire Dist.:	<i>No Comments Received.</i>	
Sch. Dist. 25:	"Benjamin 25 has no concerns with this zoning appeal."	
Sch. Dist. 94:	<i>No Comments Received.</i>	
Forest Preserve:	"The Forest Preserve District of DuPage County staff have reviewed the information provided in this Notice and do not have any specific comments. Thank you."	

GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Int. Side Yard:	20'	20'	13'

Int. Side Yard:	20'	11'8"	10'
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LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-1 SF RES	HOUSE	0-5 DU AC
North	HICKORY LANE AND BEYOND R-1 SF RES	HOUSE	0-5 DU AC
South	R-1 SF RES	HOUSE	0-5 DU AC
East	R-1 SF RES	HOUSE	0-5 DU AC
West	R-1 SF RES	HOUSE	0-5 DU AC





