



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: July 1, 2025

RE: **ZONING-25-000026 Fawell (Winfield/District 6)**

DuPage County Board: July 8, 2025:

Development Committee: July 1, 2025: The DuPage County Development Committee recommended to approve the following zoning relief:

1. Variation to allow a detached accessory building (proposed shed) in front of the front wall of the existing home.
2. Variation to reduce the interior side yard for a new shed from required 10 feet to approximately 3 feet.

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-25-000026 Fawell**, dated June 4, 2025.
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 (Motion to Approve): 5 Ayes, 0 Nays, 1 Absent

Zoning Hearing Officer: June 18, 2025: The Zoning Hearing Officer recommended to approve the following zoning relief:

1. Variation to allow a detached accessory building (proposed shed) in front of the front wall of the existing home.

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Subject to the following conditions:

1. That the property be development in accordance with the petitioner's site plan made part of Zoning Petition #**ZONING-25-000026 Fawell**, dated June 4, 2025.
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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 seeks the subject zoning relief to construction a new shed in front of the front wall of the existing home and approximately three (3) feet from the interior side property line.
- B. That petitioner testified that the subject home was constructed in 1947 and built completely at the rear of the subject property.
 - a. Furthermore, that petitioner testified that the subject home has no basement or usable attic space and that they require additional storage on the property.
- C. That petitioner testified that his particular hardship and practical difficulty is due to the configuration of the subject property and location of the existing home and septic at the rear of the property, leaving all usable space on the property in front of the front wall of the home.
 - a. As such, petitioner testified that the only location to place a shed on the subject property is in front of the front wall of the home, approximately three (3) feet from the interior side property line.
- D. That the Zoning Hearing Officer finds that petitioner has demonstrated evidence for a particular hardship and practical difficulty for the subject zoning relief due to the configuration of the subject property and location of the existing home and septic system at the rear of the property, leaving all usable space in front of the front wall of the home.

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:

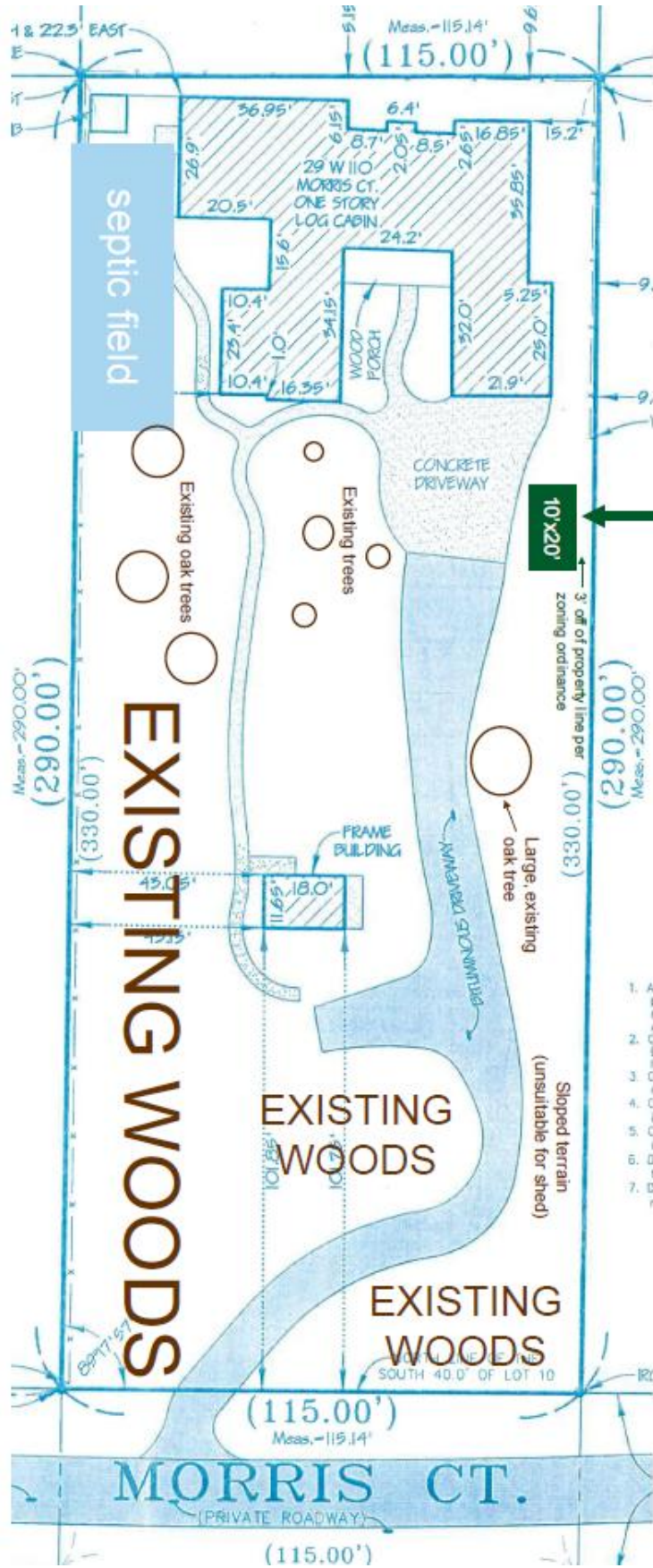
- a. Impair an adequate supply of light and air to the adjacent property as petitioner has demonstrated that the proposed two hundred (200) sq. ft. shed will not impact the light and air to adjacent properties.
- b. Increase the hazard from fire or other dangers to said property as petitioner has demonstrated that he will receive a building permit for the proposed shed and that it will be constructed pursuant to all building codes.
- c. Diminish the value of land and buildings throughout the County as petitioner has demonstrated that the location of the proposed shed 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 location of the proposed shed will not unduly increase traffic congestion as the shed will be setback approximately two hundred (200) feet from the front property line.
- e. Increase the potential for flood damages to adjacent property as petitioner has demonstrated that the location of the proposed 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 location of the proposed 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 location of the proposed shed 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-25-000026 Fawell		
ZONING REQUEST	1. Variation to allow a detached accessory building (proposed shed) in front of the front wall of the existing home. 2. Variation to reduce the interior side yard for a new shed from required 10 feet to approximately 3 feet.		
OWNER	ALEX AND RACHAEL FAWELL, 29W110 MORRIS COURT, WARRENVILLE, IL 60555-2216		
ADDRESS/LOCATION	29W110 MORRIS COURT, WARRENVILLE, IL 60555-2216		
PIN	04-27-410-040		
TWSP./CTY. BD. DIST.	WINFIELD	DISTRICT 6	
ZONING/LUP	R-2 SF RES	0-5 DU AC	
AREA	0.87 ACRES (37,897 SQ. FT.)		
UTILITIES	WELL/SEPTIC		
PUBLICATION DATE	Daily Herald: May 20, 2025		
PUBLIC HEARING	WEDNESDAY, JUNE 4, 2025		
<u>ADDITIONAL INFORMATION:</u>			
Building:	No Objections.		
DUDOT:	"Our office has no Jurisdiction in this matter."		
Health:	No Objections.		
Stormwater:	No Objection with the concept of the petition. Additional information may be required at time of permit application.		
Public Works:	"DPC Public Works doesn't own any sewer or water mains in the area."		
EXTERNAL:			
City of Warrenville:	"None"		
City of Aurora:	<i>No Comments Received.</i>		
City of West Chicago:	<i>No Comments Received.</i>		
City of Naperville:	<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.:	No Objections.		
Sch. Dist. 200:	<i>No Comments Received.</i>		
Forest Preserve:	<i>No Comments Received.</i>		
GENERAL BULK REQUIREMENTS:			
REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Int. Side Yard:	10 FT	NA	APPROX. 3 FT

LAND USE:

Location	Zoning	Existing Use	LUP
Subject	R-2 SF RES	HOUSE	0-5 DU AC
North	CITY OF WARRENVILLE	HOUSE	CITY OF WARRENVILLE
South	MORRIS COURT AND BEYOND R-2 SF RES	HOUSE	0-5 DU AC
East	R-2 SF RES	HOUSE	0-5 DU AC
West	R-2 SF RES	HOUSE	0-5 DU AC



Proposed New Shed

10'x20'

3' off of property line per (.00'.033)' zoning ordinance

septic field

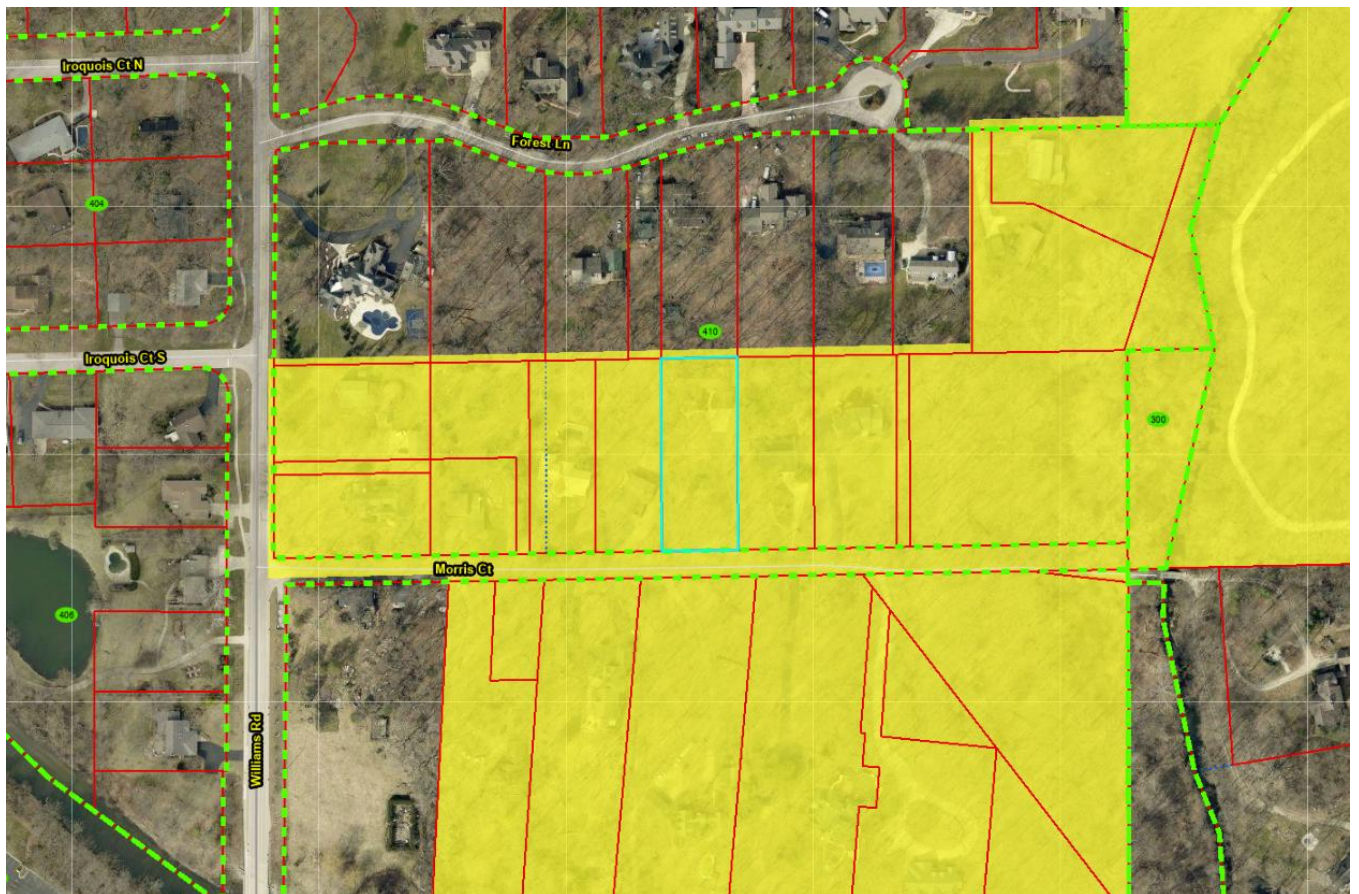
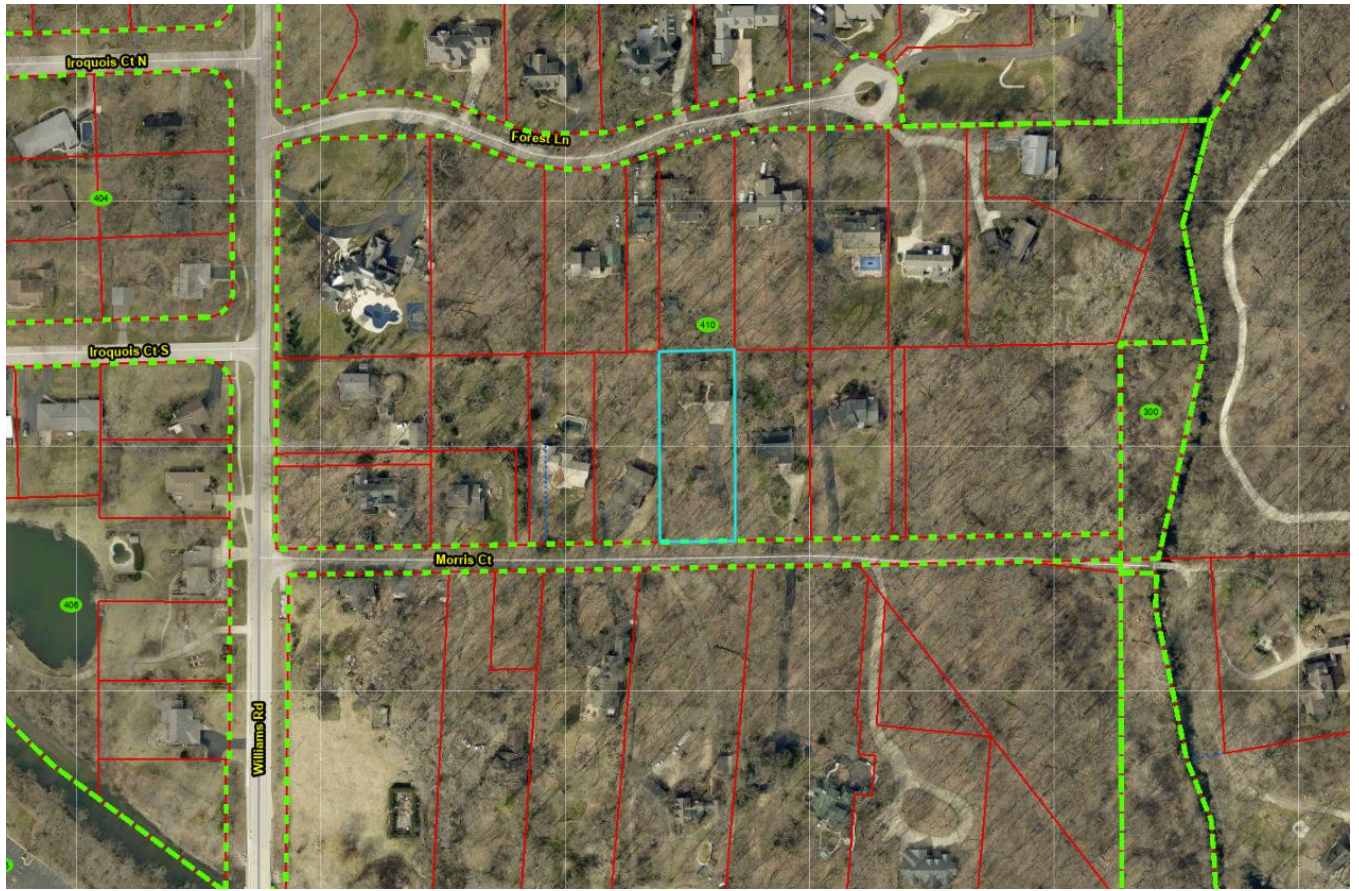
EXISTING WOODS

EXISTING WOODS

EXISTING WOODS

MORRIS CT.

(PRIVATE ROADWAY)





STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

BEFORE THE DU PAGE COUNTY
ZONING BOARD OF APPEALS

IN RE THE MATTER OF:)
)
 Rachael & Alex Fawell)
 For Certain Variations at 29W110 Morris Court)
 Warrenville, IL 60555)
 PIN 04-27-410-040)

STATEMENT IN SUPPORT OF APPROVAL OF VARIATION REQUESTED
BY RACHEL AND ALEX FAWELL IN PETITION _____,
29W110 MORRIS COURT, WARRENVILLE (WINFIELD TOWNSHIP)

Background Facts

Rachael and Alex Fawell are the owners of a 33,350 sq. ft. lot located at 29W110 Morris Court, Warrenville, Winfield Township, in unincorporated DuPage County (the "Subject Property," Deed at Tab #A12).

The Fawells request this Board's favorable action to recommend approval of the variation from the County's R-2 Single Family zoning restrictions to permit the placement of a detached accessory building in the form of a prefabricated 10' X 20' shed on a level gravel bed in front of the front wall of the principal building, their house, approximately three (3) feet from the side yard lot line (Zoning Ordinance at Tab #A13 and A14).

The survey is included at Tab #A1. The requested variance is shown by a green rectangle and green text. Additional features of the property are shown in brown text. The property is a 33,350 sq. ft. lot with dimensions of 290' x 115'. It is located on Morris Court, a heavily wooded, dead-end residential street in unincorporated Warrenville.

The property is improved 2,960 sq. ft. home, the parties' residence, and an 18' x 11' frame building. The existing frame building is a shed which also houses the well pump. The property is zoned R-2 under the County's zoning ordinance. The property is on a well and septic system.

The Fawells propose to place this shed as shown in the attached exhibits. Due to the location of the house at the very back of the property, the wooded character of the lot, and the location of the septic field, it is essentially impossible to place the shed in conformity with the zoning ordinance. The house has a low dirt crawl and is single-story with minimal and largely inaccessible attic space. In consideration of this, the Fawells seek this variation for additional storage.

The proposed shed would conform with the character of the current property improvements and of the neighborhood. It would have brown siding and a shingle roof matching the siding and roof of the house. The shed would rest on a level gravel base. It would be manufactured and delivered by Countryside Barns in Eureka, Illinois.

The neighborhood supports this Petition. The owners of all of the adjoining residences and other residences in the area have signed petitions stating that they do not object to the requested variance.

Analysis of Applicable Standards

The standards applicable to variation requests are set forth in Section 37-1411.3 (Tab #A14). The Fawells submit the following analysis in support of the consistency of the variation request to the applicable standards.

A. There are practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations of the Zoning Ordinance. Due to the location of the house at the very back of the property, the wooded character of the lot, and the location of the septic field, it is essentially impossible to place the shed in conformity with the zoning ordinance. The house, which was built in 1947, abuts the rear property line. On the east side of the house, the house is between 9' and 15' from

the property line, and this area is wooded. On the west side of the house, in the far northwest corner of the property, there is a wood deck. The septic tank is located beneath the wood deck, and the septic field extends south of the deck past the front wall of the house. This leaves only the area in front of the front wall of the house as a practical solution for placement of a shed. Due to the unique layout of this property, there is no backyard in which to place it, which creates a hardship and difficulty for the property.

B. The granting of any 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. There is an existing shed on the property in front of the front wall. Most if not all of the neighbors on Morris Court have one or more outbuildings. These outbuildings are able to be behind the front walls of the principal buildings on their respective properties due to the fact that other houses are located closer to the front property line. It is the Fawells understanding that their house was constructed before many of the neighboring properties and, accordingly, various unique features exist. The addition of a useful storage shed will benefit the neighborhood and public welfare. The investment in the subject property will increase the value of the property and, thereby, the value of other properties in the neighborhood.

C. The granting of any variation will not result in any of the conditions described in 37-1411.3(B).

1. There will be no impairment of light or air supply to adjacent property. The 6' 4.5" sidewall height and proposed location of the shed will in no way impair light or air supply to the neighboring properties.

2. There will be no increase of fire or other hazards. This will be a prefabricated shed with no electrical connections.

3. There will be no diminishment of land or building values.

The addition of a useful storage shed will likely increase land and building values.

4. There will no increase in traffic to the neighborhood.

5. There will be no increase to flood damage potential. This will be a prefabricated shed with no water connections resting on a level gravel bed.

6. There will be no increase in public expense for flood protection. This will be a prefabricated shed with no water connections resting on a level gravel bed.

7. There will be no impairment to public health, safety, comfort, morals, or general welfare as a result of the addition of this prefabricated garden shed.

Morris Court is a quiet, heavily wooded, dead-end Street in unincorporated Warrenville on which there are 15 lots. There are six lots on the south side of the road, all of which adjoin the west branch of the DuPage River. There are seven lots on the north side of the road, which is where the subject property is located. The end of Morris Court passes through part of Blackwell Forest preserve and across Spring Brook, where there are two additional lots. The neighborhood has a rural, woodland character with many hundred-plus-year-old white oaks and large lots. The character of the neighborhood is conducive to outbuildings.

In addition, the Zoning Board of Appeals or the Zoning Hearing Officer may recommend that conditions and restrictions be imposed upon the premises benefited by a variation as may be necessary to comply with the criteria established in this subsection to reduce or minimize the effect of such variation upon other property in the area, and to better carry out the general intent of this chapter.

Conclusion

These unique circumstances create a hardship to the property and, based upon the foregoing, the owners, Rachael and Alex Fawell, respectfully request a positive recommendation from the Board for their variation request.

RACHAEL FAWELL

ALEX FAWELL

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