



**DUPAGE  
COUNTY**

Building  
Division

Zoning &  
Planning Division

Environmental  
Division

## BUILDING & ZONING DEPARTMENT

630-407-6700  
Fax: 630-407-6702

[www.dupageco.org/building](http://www.dupageco.org/building)

### MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: January 16, 2024

RE: **ZONING-23-000070 Flash Property Management, LLC.**  
**(Milton/ District 6)**

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**DuPage County Board: January 23, 2024:**

**Development Committee: January 16, 2024:** The DuPage County Development Committee recommended to approve the following zoning relief:

1. Rezoning from R-4 Single-Family Residential to B-2 General Business;
2. Variation to reduce the north rear yard setback from required 40' to approximately 10';
3. Reduction and Use of Yards by Conditional Use Procedure:
  - a. Conditional Use to reduce the south front yard setback by 50% from required 40' to approximately 20'.

**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-23-000070 Flash Property Management, LLC.** dated November 9, 2023.
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 in conjunction with the submittal of a building permit the developer provides a landscape plan showing full landscape screens around the perimeter of the development.
4. 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 Board of Appeals Meeting: December 7, 2023:** The Zoning Board of Appeals recommended to approve following zoning relief:

1. Rezoning from R-4 Single-Family Residential to B-2 General Business;
2. Variation to reduce the north rear yard setback from required 40' to approximately 10';
3. Reduction and Use of Yards by Conditional Use Procedure:
  - a. Conditional Use to reduce the south front yard setback by 50% from required 40' to approximately 20'.

**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-23-000070 **Flash Property Management, LLC.** dated November 9, 2023.
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 in conjunction with the submittal of a building permit the developer provides a landscape plan showing full landscape screens around the perimeter of the development.
4. 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 they seek the subject zoning relief to allow a construction/contractor's office and yard with both indoor/outdoor storage of vehicles, materials, and equipment related to the subject construction/demolition business.
2. That petitioner testified that the subject property will be owned and operated by Flash Property Management, LLC., and will be operated as construction/contractor's office and yard.
3. That petitioner testified that they originally applied for a Variation to reduce the east interior side yard setback from 40' to approximately 10' and a Conditional Use to reduce the west interior side yard setback by 50% from required 20' to approximately 10', and that at the public hearing, petitioner withdrew the requests to reduce the east interior and west interior side yards and will meet the required setbacks.
4. That petitioner testified that the subject property was previously used as a horse stable/horse boarding facility, and today includes an existing indoor 7,000 sq. ft. riding arena, 1,500 sq. ft. intermediary building, and 5,000 sq. ft. horse stable.
  - a. That petitioner testified that they propose to utilize the existing buildings for the proposed construction/contractor's office and yard, and that the 1,500 sq. ft. intermediary building will be used for the proposed construction/contractor's office and the 5,000 sq. ft. stable building and 7,000 sq. ft. riding arena will be used for the proposed storage of petitioner's vehicles, equipment, and tools.

5. That petitioner testified that they do not plan to construct any additions to the existing buildings on the subject property and that petitioner will only make cosmetic improvements to the property, such as new roofing, siding, windows, paint, and improve the existing parking with ten (10) parking spaces.
6. That petitioner testified that the proposed business would have 10-15 employees on a daily basis, with 1-3 employees in the office.
7. That petitioner testified that their business operations allow for their employees to arrive at the subject property in their personal vehicles, park their vehicle, and then take a company vehicle, equipment, or truck to a designated construction site.
  - a. Furthermore, that at the end of the day, employees would return to the subject property, drop off the company vehicle, equipment, or truck, and leave the property in their personal vehicle.
8. That petitioner testified that they have requested the reduction in front and rear yards, due to the long/narrow lot configuration of the subject property and that use of the existing buildings and property requires the requested zoning relief.
9. That petitioner testified that all of the adjacent properties and existing land uses are largely commercial and that the trend of development on St. Charles Road/Schmale Road is towards commercial uses, a further indication that the B-2 Zoning District would be appropriate zoning district for the subject property.
  - a. That petitioner testified that the adjacent property to the north is the Great Western Trail and Commonwealth Edison, to the west is an animal hospital, to the south is a commercial shopping center/restaurants, and to the east is vacant land with a telecommunications tower.
  - b. In addition, that petitioner testified that the subject property would not be suitable for residential use due to the existing lot configuration and close proximity to St. Charles Road/Schmale Road, and that the B-2 Zoning District would be a suitable zoning district for the subject property.

**STANDARDS FOR MAP AMENDMENT (REZONING):**

That the Zoning Board of Appeals finds that petitioner **has demonstrated** that the granting of the map amendment (rezoning) is in harmony with the general purpose and intent of the Zoning Ordinance, and that the petitioner has demonstrated the following standards for a map amendment (rezoning):

1. Existing uses of property within the general area of the property in question, as petitioner **has demonstrated** that the property located directly west of the subject property is located within the Village of Carol Stream with a commercial use for an animal hospital; that the property directly north of the subject property is zoned R-4 Single Family Residential and is a recreational use with the Great Western Trail; that the property located directly east of the subject property is zoned R-4 Single Family Residential and is vacant with a telecommunications tower; and that the properties located directly south of the subject property are located within the Village of Carol Stream with commercial uses, such as shopping centers and restaurants.
2. The zoning classification of property within the general area of the property in question, as petitioner

**has demonstrated** that the property located directly west of the subject property is located within the Village of Carol Stream with a commercial use for an animal hospital; that the property directly north of the subject property is zoned R-4 Single Family Residential and is a recreational use with the Great Western Trail; that the property located directly east of the subject property is zoned R-4 Single Family Residential and is vacant with a telecommunications tower; and that the properties located directly south of the subject property are located within the Village of Carol Stream with commercial uses, such as shopping centers and restaurants.

3. The suitability of the property in question for the uses permitted under the existing zoning classification, as petitioner **has demonstrated** that there is no demand for the subject property to be developed as a residential property due to the location of the subject property on St. Charles Road/Schmale Road, the close proximity to surrounding commercial uses, and due to the long and narrow existing lot configuration.
4. The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the property in question was placed in its present zoning classification, as petitioner **has demonstrated** that the trend of development in the general area, specifically in the last ten (10) years, is towards commercial land uses.
5. The length of time the property has been vacant as zoned, considered in the context of the land development in the area surrounding the subject property, as petitioner **has demonstrated** that the subject property has not been used as a residential property and was previously used as a horse stable/horse boarding facility.
6. The extent to which the property values are diminished by particular zoning restrictions, as petitioner **has demonstrated** that the subject zoning relief will improve the subject property and will be consistent with the surrounding land uses and zoning districts.

**STANDARDS FOR VARIATIONS AND CONDITIONAL USES:**

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 they will not construct any new buildings on the subject property and will utilize all existing buildings, 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 only be making cosmetic improvements to the subject property and that they will 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 all of the properties surrounding the subject property are a commercial use, and that the proposed construction/contractor's office and yard 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 use as a construction/contractor's office and yard will not bring in customers or members of the public, and that they 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 they will utilize the existing buildings on the subject property and 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 they will utilize the existing buildings on the subject property and 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 surrounding land uses are primarily commercial and that the proposed construction/contractor's office and yard will not adversely impact the public health, safety, comfort, morals, and general welfare of the inhabitants of DuPage County.



Village of Winfield:	<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.
Carol Stream Fire Dist.:	No Objections with the concept of the petition. Additional information may be required at time of permit application.
Sch. Dist. 200:	<i>No Comments Received.</i>
Forest Preserve:	<i>No Comments Received.</i>

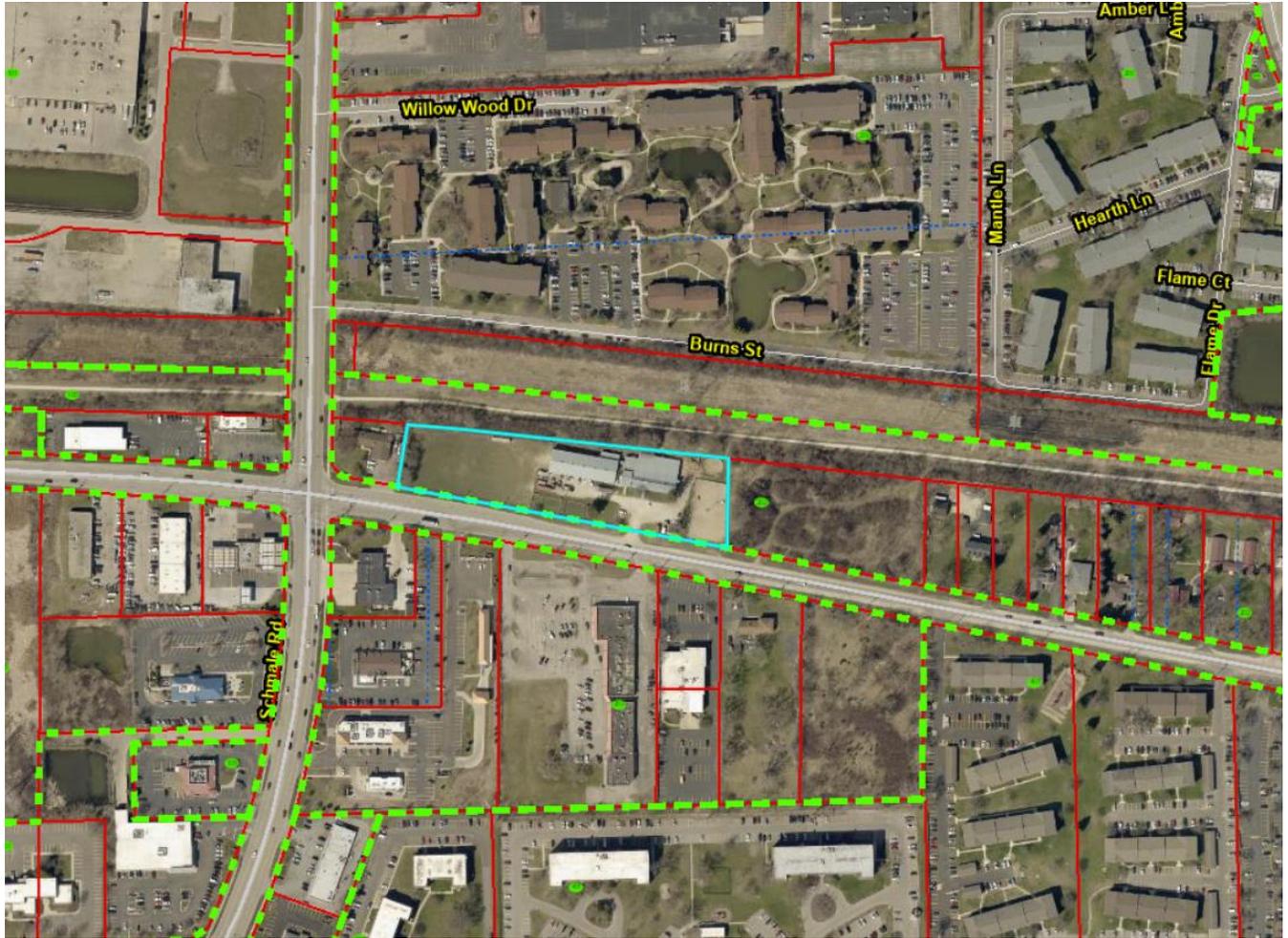
**GENERAL BULK REQUIREMENTS:**

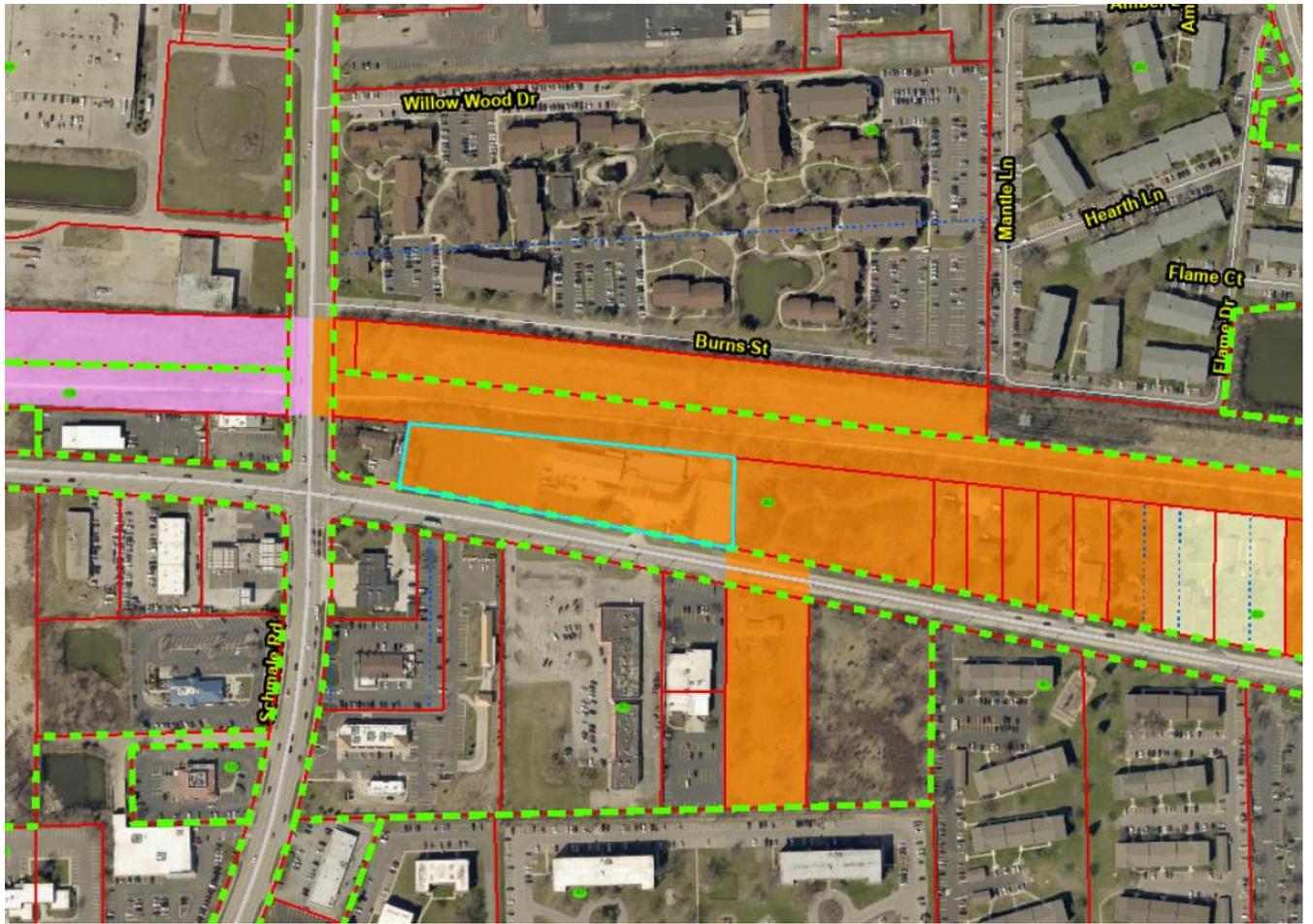
<b>REQUIREMENTS:</b>	<b>REQUIRED</b>	<b>EXISTING</b>	<b>PROPOSED</b>
Front Yard:	40'	APPROX. 20'	APPROX. 20'
Int. Side Yard:	40'	APPROX. 2.9'	APPROX. 10'
Int. Side Yard:	20'	APPROX. 1.2'	APPROX. 10'
Rear Yard:	40'	APPROX. 3.2'	APPROX. 10'

**LAND USE**

<b>Location</b>	<b>Zoning</b>	<b>Existing Use</b>	<b>LUP</b>
Subject	R-4 SF RES	EQUESTRIAN	OFFICE LOW
North	R-4 SF RES	OPEN SPACE/TRAIL	OFFICE LOW
South	ST. CHARLES ROAD AND BEYOND VILLAGE OF CAROL STREAM	COMMERCIAL	VILLAGE OF CAROL STREAM
East	R-4 SF RES	VACANT	OFFICE LOW
West	VILLAGE OF CAROL STREAM	MEDICAL	VILLAGE OF CAROL STREAM









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### DU PAGE COUNTY ZONING BOARD OF APPEALS Zoning Petition ZONING-23-000070 Flash Property Management, LLC.

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](mailto:Jessica.Infelise@dupageco.org) or via facsimile  
at 630-407-6702 by November 8, 2023.

<b>COMMENT SECTION:</b>	
: OUR OFFICE HAS NO JURISDICTION IN THIS MATTER	
: NO OBJECTION/CONCERNS WITH THE PETITION	
: NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION. ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION	
<input checked="" type="checkbox"/> : I OBJECT/ HAVE CONCERNS WITH THE PETITION.	
COMMENTS: PVC shed shown on site plan and final plat is encroaching on the County's Great Western Trail ROW. The shed encroachment should be relocated prior to a reduction of rear-yard setback requirements.	
SIGNATURE: <span style="background-color: black; color: black;">[REDACTED]</span> DATE: 10/26/2023	
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT: DuDOT	
<b>GENERAL ZONING CASE INFORMATION</b>	
<b>CASE #/PETITIONER</b>	<b>ZONING-23-000070 Flash Property Management, LLC.</b>
<b>ZONING REQUEST</b>	1. Rezoning from R-4 Single-Family Residential to B-2 General Business; 2. Variation to reduce the north rear yard setback from required 40' to approximately 10'; 3. Variation to reduce the east interior side yard setback from 40' to approximately 10'; and 4. Reduction and Use of Yards by Conditional Use Procedure: a. Conditional Use to reduce the south front yard setback by 50% from required 40' to approximately 20'; b. Conditional Use to reduce the west interior side yard setback by 50% from required 20' to approximately 10'.
<b>OWNER</b>	FLASH PROPERTY MANAGEMENT, LLC., P.O BOX 723, BLOOMINGDALE, IL 60108/ AGENT: PHILLIP A. LUETKEHANS AND BRIAN J. ARMSTRONG, LUETKEHANS, BRADY, GARNER, & ARMSTRONG, LLC., 105 E. IRVING PARK ROAD, ITASCA, IL 60143
<b>ADDRESS/LOCATION</b>	24W280 ST. CHARLES ROAD, CAROL STREAM, IL 60188
<b>PIN</b>	05-04-202-002
<b>TWSP./CTY. BD. DIST.</b>	MILTON DISTRICT 6
<b>ZONING/LUP</b>	R-4 SF RES OFFICE LOW



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Jessica Infelise, DuPage County Building and Zoning Department, 421 North County Farm Road, Wheaton, Illinois 60187; or via email at [Jessica.Infelise@dupageco.org](mailto:Jessica.Infelise@dupageco.org) or via facsimile at 630-407-6702 by **November 8, 2023**.

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.	
<b>COMMENTS:</b> The septic system must be in compliance with Chapter 18, Article III for the conversion from residential to commercial use including section 303.5 facilities not allowed. If 25 or more people per day can use the water from the well it will be classified a Non-Community Water Supply which increases the requirements to use the water from the well.	
<b>SIGNATURE</b> [REDACTED]	<b>DATE:</b> 11-3-23
<b>MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT:</b> Health	
GENERAL ZONING CASE INFORMATION	
<b>CASE #/PETITIONER</b>	ZONING-23-000070 Flash Property Management, LLC.
<b>ZONING REQUEST</b>	1. Rezoning from R-4 Single-Family Residential to B-2 General Business; 2. Variation to reduce the north rear yard setback from required 40' to approximately 10'; 3. Variation to reduce the east interior side yard setback from 40' to approximately 10'; and 4. Reduction and Use of Yards by Conditional Use Procedure: a. Conditional Use to reduce the south front yard setback by 50% from required 40' to approximately 20'; b. Conditional Use to reduce the west interior side yard setback by 50% from required 20' to approximately 10'.
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<b>ADDRESS/LOCATION</b>	24W280 ST. CHARLES ROAD, CAROL STREAM, IL 60188
<b>PIN</b>	05-04-202-002
<b>TWSP/CTY. BD. DIST.</b>	MILTON DISTRICT 6
<b>ZONING/LUP</b>	R-4 SF RES OFFICE LOW
<b>AREA</b>	2.91 ACRES (126,760 SQ. FT.)

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