



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: April 1, 2025

RE: **ZONING-25-000003 Ponce (Milton/District 4)**

DuPage County Board: April 8, 2025: *(If the County Board seeks to approve the Variation zoning relief it will require a $\frac{3}{4}$ majority vote {14 votes} to approve based on the recommendation to deny by the Zoning Hearing Officer)*

Development Committee: April 1, 2025: On a motion to approve, the motion failed relative to the following zoning relief:

Variation to substitute a paved surface driveway for a gravel driveway.

Development Committee VOTE (Motion to Approve Failed): 0 Ayes, 4 Nays, 2 Absent

Zoning Hearing Officer: March 19, 2025: The Zoning Hearing Officer recommended to deny the following zoning relief:

Variation to substitute a paved surface driveway for a gravel driveway.

ZHO Recommendation to Deny

FINDINGS OF FACT:

- A. That petitioner testified that the subject zoning relief is to allow a Variation to substitute a paved surface driveway for a gravel driveway.
- B. That petitioner testified that he purchased the subject property in 2021.
- C. That petitioner testified that when he purchased the subject property, he called the wrong department and they told him he does not need a permit to install a gravel

driveway, and that he constructed the gravel driveway starting at the street and going to the rear of the subject property.

- D. That petitioner testified that he currently uses the subject gravel driveway to store his recreational vehicle and as a play area for his children.
- E. That petitioner testified that he proposes to build a detached garage in the rear of the subject property and that the gravel driveway will be used as the access for the gravel driveway.
- F. That the Zoning Hearing Officer finds that petitioner has not demonstrated sufficient evidence for a practical difficulty or particular hardship in relation to the subject zoning relief for a Variation to substitute a paved surface driveway for a gravel driveway.

STANDARDS FOR VARIATIONS:

1. That the Zoning Hearing Officer finds that petitioner **has not 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 not demonstrated** the granting of the Variation will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has not demonstrated** that the existing gravel driveway 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 not demonstrated** that the existing gravel driveway 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 not demonstrated** that the existing gravel driveway 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 not demonstrated** that the existing gravel driveway 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 not demonstrated** that the existing gravel driveway 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 not demonstrated** that the existing gravel driveway 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 not demonstrated** that the existing gravel

driveway will not impair the public health, safety, comfort, morals, or general welfare and will be an added benefit to the neighborhood.

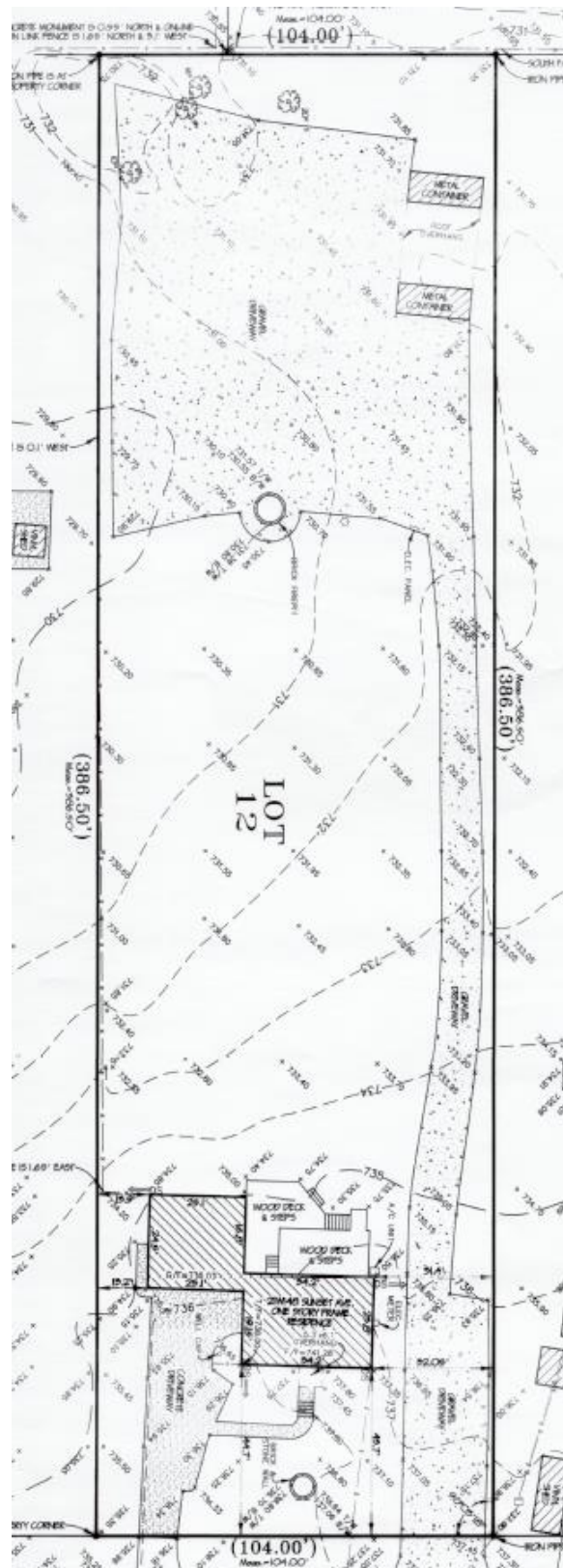
PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-25-000003 Ponce	
ZONING REQUEST	Variation to substitute a paved surface driveway for a gravel driveway.	
OWNER	GERMAN PONCE RUIZ & ANA SALGADO ROMERO, 21W148 SUNSET AVENUE, LOMBARD, IL 60148	
ADDRESS/LOCATION	21W148 SUNSET AVENUE, LOMBARD, IL 60148	
PIN	05-01-201-031	
TWSP./CTY. BD. DIST.	MILTON	DISTRICT 4
ZONING/LUP	R-4 SF RES	0-5 DU AC
AREA	0.92 ACRES (40,075 SQ. FT.)	
UTILITIES	WELL/SEPTIC	
PUBLICATION DATE	Daily Herald: FEBRUARY 4, 2025	
PUBLIC HEARING	WEDNESDAY, FEBRUARY 19, 2025	
ADDITIONAL INFORMATION:		
Building:	Objects.	
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. “DPC Stormwater Management has identified a violation of the Stormwater Ordinance due to the presence of an uncertified gravel driveway. Resolving this violation may require regrading for drainage and implementing post-construction best management practices (PCBMPs), along with other potential stormwater ordinance requirements. A stormwater certification application, including a violation resolution plan, must be submitted and approved before a building permit can be issued.”	
Public Works:	“DPC Public Works doesn’t own any sewer or water mains in the area.”	
EXTERNAL:		
Village of Glendale Heights:	No Comments Received.	
Village of Addison:	Our office has no jurisdiction in this matter.	
Village of Lombard:	Objects. (See attached documentation)	
Village of Glen Ellyn:	No Comments Received.	
Milton Township:	No Comments Received.	
Township Highway:	No Objection with the concept of the petition. Additional information may be required at time of permit application.	
Lombard Fire Dist.:	No Comments Received.	
Sch. Dist. 41:	No Comments Received.	

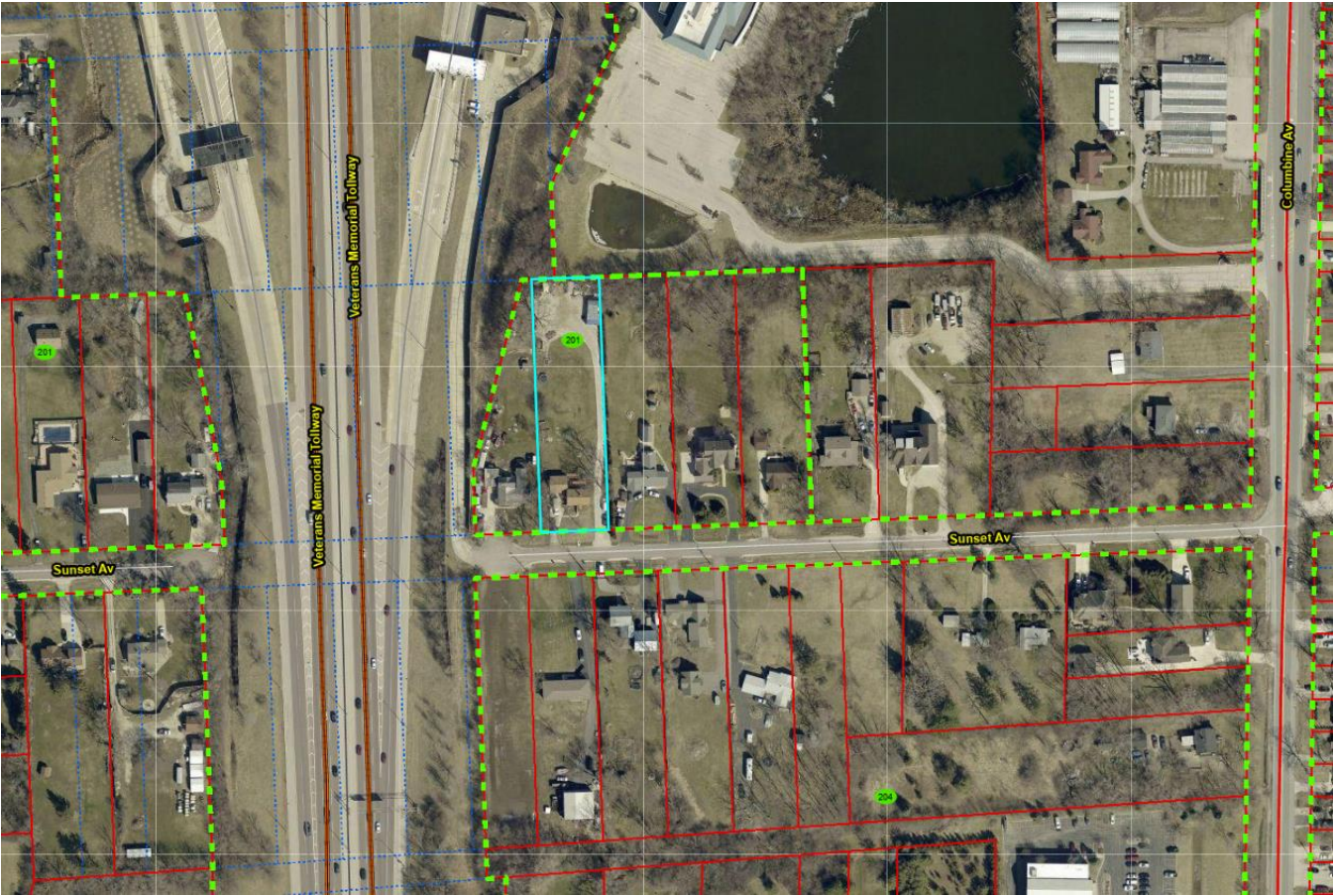
Sch. Dist. 87:	<i>No Comments Received.</i>
Forest Preserve:	<i>No Comments Received.</i>

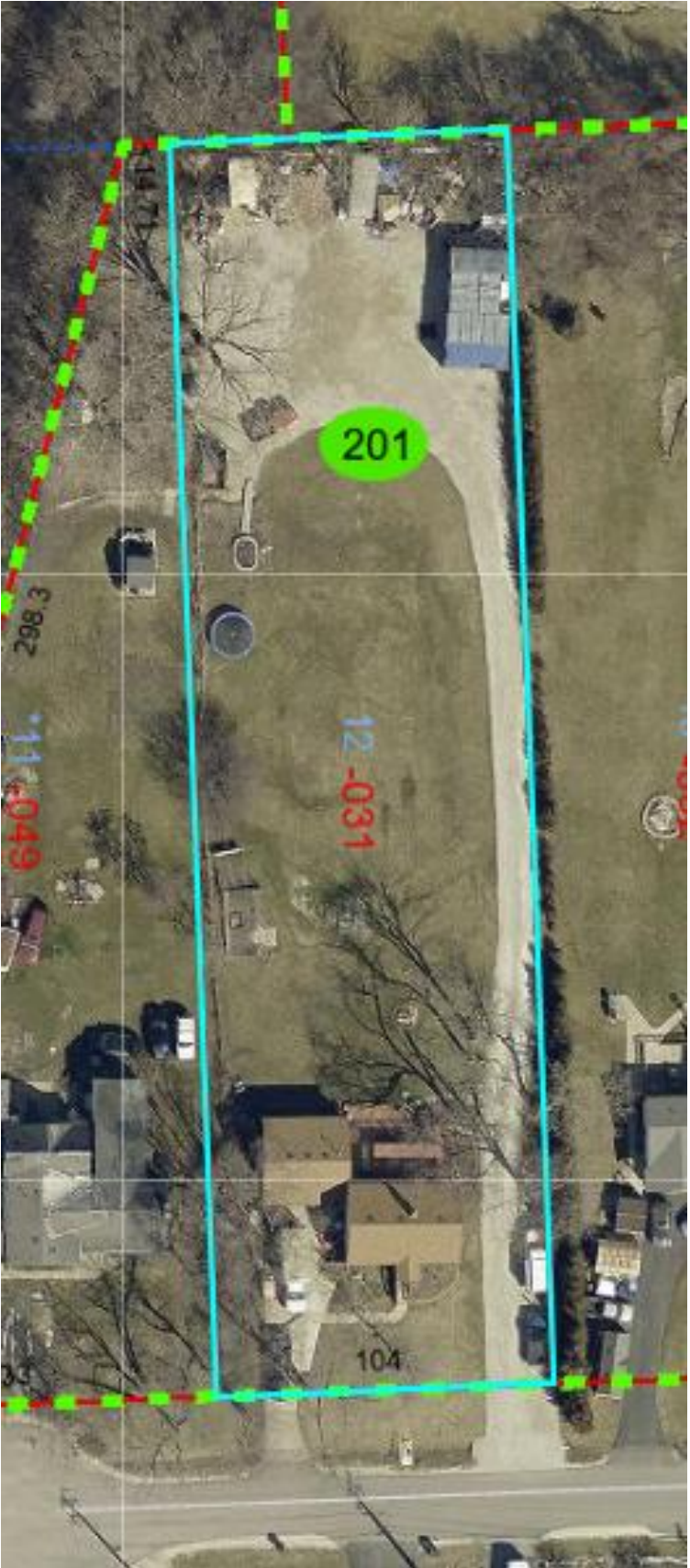
LAND USE:

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	HOUSE	0-5 DU AC
North	VILLAGE OF LOMBARD	COMMERCIAL	VILLAGE OF LOMBARD
South	SUNSET AVENUE AND BEYOND 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











VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

February 18, 2025

Village President
Keith T. Giagnorio

Village Clerk
Liz Brezinski

Trustees
Brian LaVaque, Dist. 1
Anthony Puccio, Dist. 2
Bernie Dudek, Dist. 3
Andrew Honig, Dist. 4
Dan Militello, Dist. 5
Bob Bachner, Dist. 6

Village Manager
Scott R. Niehaus

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Robert J. Kartholl, Chairperson
DuPage County Zoning Board of Appeals
421 North County Farm Road
Wheaton, Illinois 60187

RE: DuPage County Public Hearing 25-000003 21W148 Sunset Avenue – Village of Lombard Comments

Dear Chairperson Kartholl:

The Village of Lombard is in receipt of the public hearing notice regarding Zoning Case 25-000003, a request for a variance to allow a gravel driveway on the property at 21W148 Sunset Avenue. Per the public hearing notice and County staff response to follow-up questions posed by the Village of Lombard through DuPage County staff, the Village understands that the petitioner installed a gravel driveway and parking area on the subject property prior to obtaining a permit from DuPage County and now seeks a variance to allow a gravel driveway where a paved driveway is required. As the subject property is located within the extraterritorial jurisdiction of the Village of Lombard, we respectfully offer the following comments for consideration by the ZBA as part of their deliberations.

1. Section 150.301(A)(3) of the Village Code states that residential driveways shall not exceed 20 feet in width measured at the property line. Per the plat of survey/plans transmitted with the public hearing notice, the driveway in question measures 22 feet at the property line.
2. Section 150.301(B)(2) of the Village Code requires residential approaches to be designed to the following specifications: six-inches stone + three-inches compacted blacktop or four-inches stone + six-inches concrete, six bag-air entrained mixture. Gravel approaches are not permitted.

3. Section 150.301(B)(3) of the Village Code requires residential driveways to be designed to the following specifications: six-inches stone + two-inches compacted blacktop or four-inches stone + five-inches concrete, six bag-air entrained mixture. Gravel driveways are not permitted.

Be advised that the above comments reflect an understanding, based on representations made by the petitioner through County staff, that the driveway and parking area in question are to be used exclusively as a driveway to access a parking area on the residential property, where the petitioner may construct a detached garage at a future date. Through DuPage County staff, the petitioner has represented that the driveway and parking area are not intended to support a business of any kind. Should the intended use of the driveway/parking area be altered to support business activities on the property, the Village would have additional comments on this petition.

Overall, in review of the proposed variation, the Village of Lombard finds that the submitted petition and the supplemental information we received to date from DuPage County is inconsistent with the existing provisions of the Village Code. Furthermore, Village staff finds that the petitioner's property does not have physical surroundings, shape, or topographical features that differ substantially from other lots in the neighborhood as to be demonstrative of a hardship required by the DuPage County Zoning Ordinance.

Please include this letter as part of the case file and advise the DuPage County Zoning Board of Appeals of the Village's position with respect to this matter.

Respectfully,

VILLAGE OF LOMBARD
Community Development Department



William J. Heniff, AICP
Community Development Director