



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

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 7, 2024

RE: **ZONING-24-000011 Cabral (Winfield/District 6)**

DuPage County Board: May 14, 2024:

Development Committee: May 7, 2024: The DuPage County Development Committee recommended to approve the following zoning relief:

1. Conditional Use to reduce the required side yard setback for existing carport from required 20 feet to approximately 3.5 feet, where it has existed for at least five (5) years.
2. Conditional Use to allow the existing detached accessory buildings/structures (two sheds) to remain in front of the front wall of the house, where they have existed for at least five (5) years.
3. Conditional Use to increase the total area of detached accessory buildings from 2,600 sq. ft. to approximately 5,280 sq. ft. for all existing detached buildings have existed for at least five (5) years (approx. 1,770 sq. ft. stable, 477 sq. ft. shed, 697 sq. ft. detached garage, 1,477 sq. ft. detached accessory building, 460 sq. ft. shed, and 399 sq. ft. shed).
4. Variation to allow the total area of detached accessory buildings to exceed the total area of the principal building.

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-24-000011 Cabral** dated March 27, 2024.
2. That the Conditional Use zoning relief for the chicken coop shed (located in middle of yard – next to house) shall expire after three (3) years and that the Conditional Use zoning relief for all other detached accessory buildings and

structures (except the chicken coop shed) shall expire after ten (10) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:

- a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
 - b. The structure is voluntarily removed.
3. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
 4. That petitioner maintains the existing landscaping around the perimeter of the subject property.
 5. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

Development Committee VOTE (to Approve): 6 Ayes, 0 Nays, 0 Absent

Zoning Hearing Officer: March 27, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

1. Conditional Use to reduce the required side yard setback for existing carport from required 20 feet to approximately 3.5 feet, where it has existed for at least five (5) years.
2. Conditional Use to allow the existing detached accessory buildings/structures (two sheds) to remain in front of the front wall of the house, where they have existed for at least five (5) years.
3. Conditional Use to increase the total area of detached accessory buildings from 2,600 sq. ft. to approximately 5,280 sq. ft. for all existing detached buildings have existed for at least five (5) years (approx. 1,770 sq. ft. stable, 477 sq. ft. shed, 697 sq. ft. detached garage, 1,477 sq. ft. detached accessory building, 460 sq. ft. shed, and 399 sq. ft. shed).
4. Variation to allow the total area of detached accessory buildings to exceed the total area of the principal building.

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-24-000011 Cabral dated March 27, 2024.
2. That the Conditional Use zoning relief for the chicken coop shed (located in middle of yard – next to house) shall expire after three (3) years and that the Conditional Use zoning relief for all other detached accessory buildings and structures (except the chicken coop shed) shall expire after ten (10) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:

- a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
 - b. The structure is voluntarily removed.
3. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
 4. That petitioner maintains the existing landscaping around the perimeter of the subject property.
 5. 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 for the detached accessory buildings on the subject property.
- B. That petitioner testified that they purchased the subject property approximately one (1) year ago and that all detached accessory buildings existed at the time of purchase.
- C. That petitioner testified that they plan to keep all existing buildings on the subject property.
- D. That petitioner testified that they have horses and chickens on the subject property, and that several of the detached accessory buildings are used for the horses and storage of horse equipment and feed.
- E. That at the public hearing, a neighbor testified that they do not have any objections and that most of the detached accessory building have existed for at least thirty (30) years.
- F. That petitioner testified that the chicken coop/shed located in the middle of yard, near the home, is in poor condition and may only last another three years.
 - That the Zoning Hearing Officer finds that based on petitioner's testimony, the subject chicken coop/shed is in poor condition and therefore placed a three (3) year condition on the chicken coop/shed and a ten (10) year condition on all other detached accessory buildings included in the subject zoning relief.
- G. That the Zoning Hearing Officer finds that petitioner has demonstrated that the subject zoning relief does not have any impact on adjacent properties and roadways, does not impact on drainage, and does not impede ventilation and light to the subject property or adjacent properties.

STANDARDS FOR CONDITIONAL USES:

1. That the Zoning Hearing Officer finds that petitioner **has demonstrated** that the granting of the Conditional Use 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; and specifically, that the granting of the Conditional Use will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has demonstrated** that the detached accessory buildings do not impact or impair the supply of light and air to 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 from the County for the existing detached accessory buildings.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the detached accessory buildings do not diminish the value of land.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the existing detached accessory buildings do not 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 County's Stormwater Department has no objections to the existing detached accessory buildings.
 - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the County's Stormwater Department has no objections to the existing detached accessory buildings.
 - g. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County as petitioner **has demonstrated** that the detached accessory buildings do not have any impact on adjacent properties and roadways, does not impact on drainage, and does not impede ventilation and light to the subject property or adjacent properties.

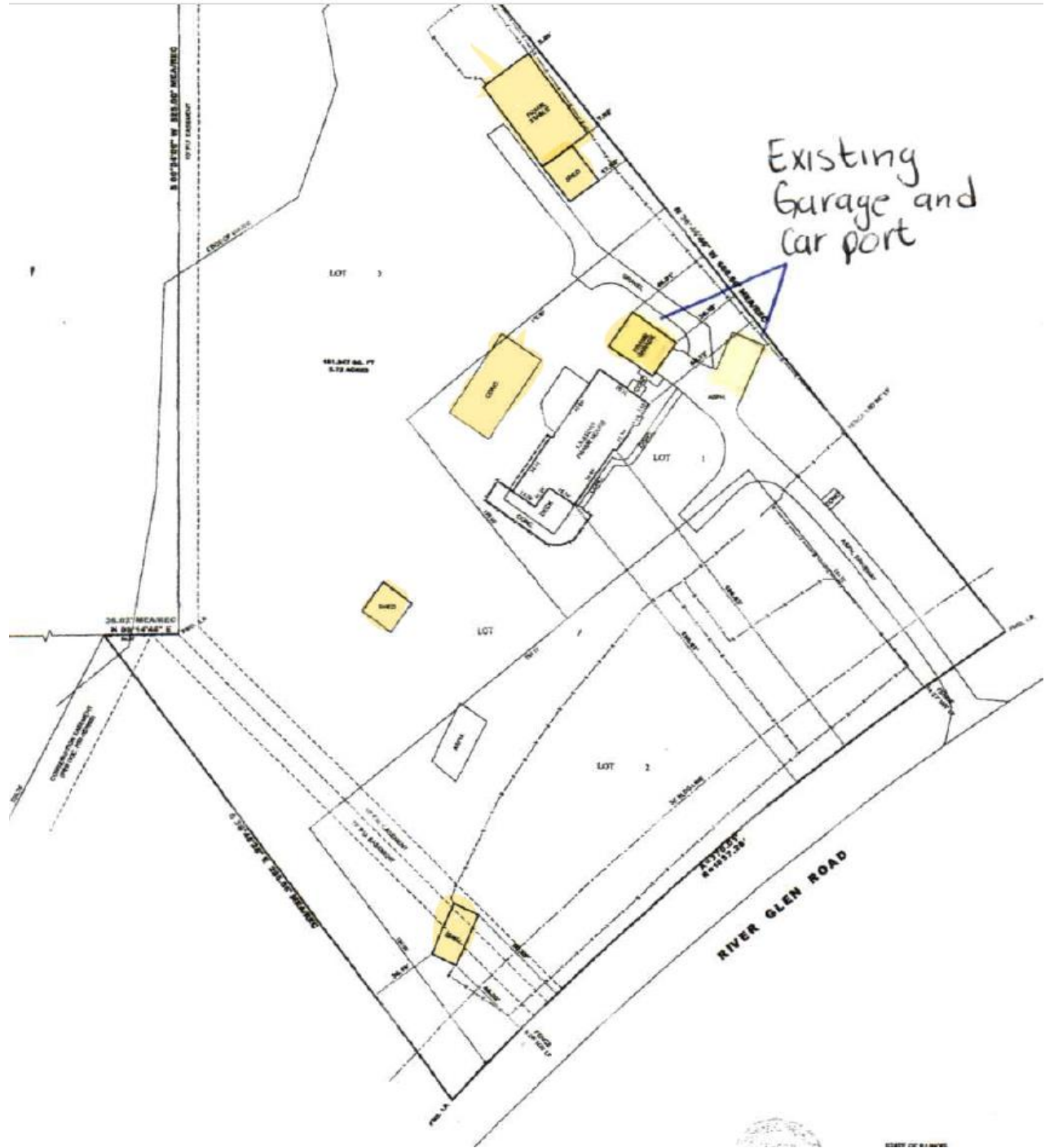
PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-24-000011 Cabral
ZONING REQUEST	<ol style="list-style-type: none"> 1. Conditional Use to reduce the required side yard setback for existing carport from required 20 feet to approximately 3.5 feet, where it has existed for at least five (5) years. 2. Conditional Use to allow the existing detached accessory buildings/structures (two sheds) to remain in front of the front wall of the house, where they have existed for at least five (5) years. 3. Conditional Use to increase the total area of detached accessory buildings from 2,600 sq. ft. to approximately 5,280 sq. ft. for all existing detached buildings have existed for at least five (5) years (approx. 1,770 sq. ft. stable, 477 sq. ft. shed, 697 sq. ft. detached garage, 1,477 sq. ft. detached accessory building, 460 sq. ft. shed, and 399 sq. ft. shed). 4. Variation to allow the total area of detached accessory buildings to exceed the total area of the principal building.
OWNER	FELIPE AND MARTHA CABRAL, 0S434 RIVER GLEN ROAD, WEST CHICAGO, IL 60185
ADDRESS/LOCATION	0S434 RIVER GLEN ROAD, WEST CHICAGO, IL 60185
PIN	04-15-201-011 / 04-15-401-024 / 04-15-201-010
TWSP./CTY. BD. DIST.	WINFIELD DISTRICT 6
ZONING/LUP	R-1 SF RES 0-5 DU AC
AREA	3.73 ACRES (162,479 SQ. FT.)
UTILITIES	WELL / SEPTIC
PUBLICATION DATE	Daily Herald: MARCH 12, 2024
PUBLIC HEARING	WEDNESDAY, MARCH 27, 2024
<u>ADDITIONAL INFORMATION:</u>	
Building:	No Objections.
DUDOT:	Our office has no jurisdictions in this matter.
Health:	No Objections.
Stormwater:	No Objections with the petition. "Floodplain is located on western portion of the property. Stable and shed are in close proximity to floodplain; however, the structures and land uses appear to have existing as of February 15,1992 and therefore the Countywide Stormwater and Floodplain Ordinance does not apply to them until they are subsequently re-developed."
Public Works:	Our office has no jurisdictions in this matter.
EXTERNAL:	
City of West Chicago:	<i>No Comments Received.</i>
City of Warrenville:	<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>

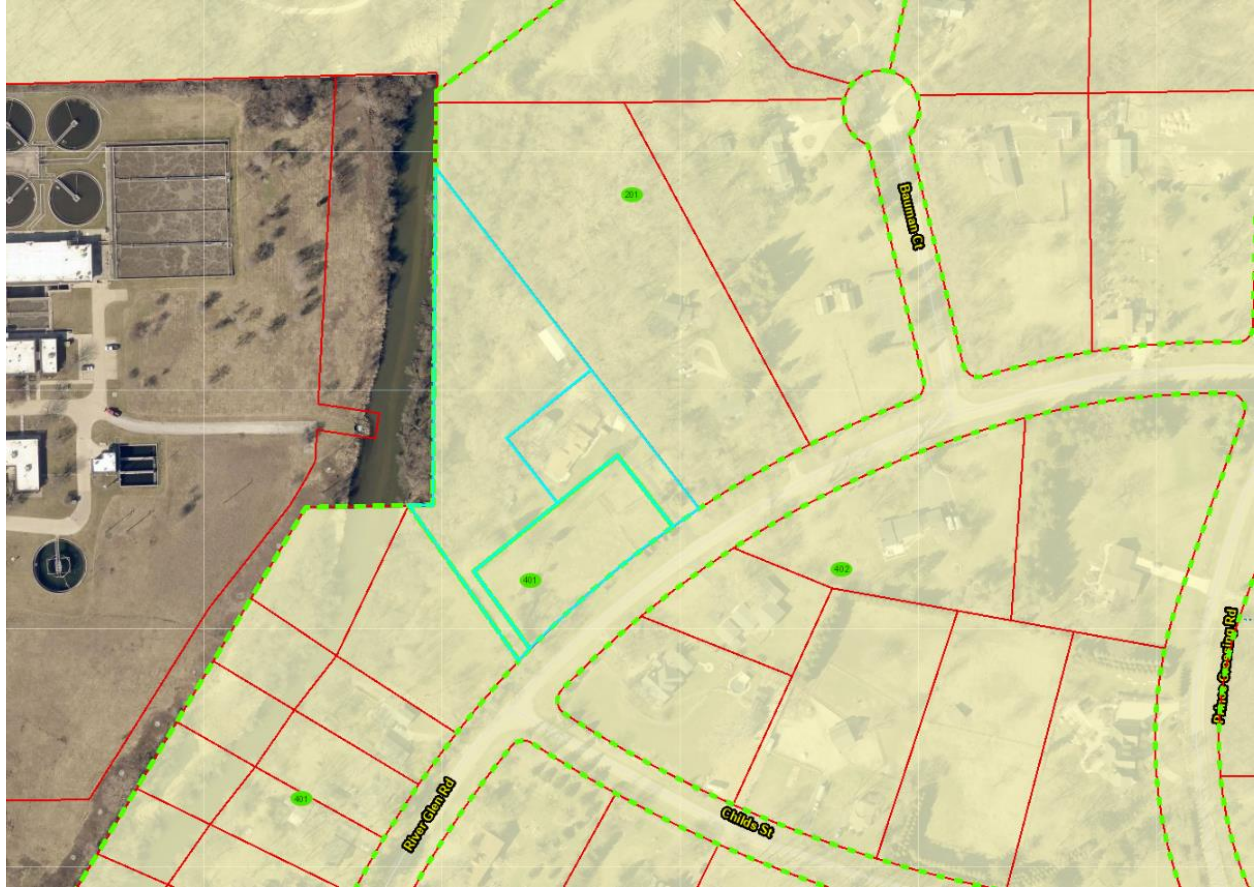
Sch. Dist. 33:	<i>No Comments Received.</i>
Sch. Dist. 94:	<i>No Comments Received.</i>
Forest Preserve:	“The Forest Preserve District of DuPage County staff has reviewed the information provided in this notice and due to the sizable distance between the subject property and District property, we do not have any specific comments. Thank you.”

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-1 SF RES	HOUSE	0-5 DU AC
North	CITY OF WEST CHICAGO	FOREST PRESERVE	CITY OF WEST CHICAGO
South	RIVER GLEN ROAD AND BEYOND 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











**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

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

www.dupagecounty.gov/building

DU PAGE COUNTY ZONING HEARING OFFICER PROGRAM **Zoning Petition ZONING-24-000011 Cabral**

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@dupagecounty.gov or via facsimile at 630-407-6702 by **March 26, 2024**.

COMMENT SECTION:	
: OUR OFFICE HAS NO JURISDICTION IN THIS MATTER	
<input checked="" type="checkbox"/> : 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	
: I OBJECT/ HAVE CONCERNS WITH THE PETITION.	
<p>COMMENTS: Floodplain is located on western portion of the property. Stable and shed are in close proximity to floodplain; however, the structures and land uses appear to have existing as of February 15,1992 and therefore the Countywide Stormwater and Floodplain Ordinance does not apply to them until they are subsequently re-developed.</p>	
SIGNATURE: [REDACTED] DATE: 3/15/24	
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT: DPC Stormwater Management	
GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-24-000011 Cabral
ZONING REQUEST	<ol style="list-style-type: none"> 1. Conditional Use to reduce the required side yard setback for existing carport from required 20 feet to approximately 3.5 feet, where it has existed for at least five (5) years. 2. Conditional Use to allow the existing detached accessory buildings/structures (two sheds) to remain in front of the front wall of the house, where they have existed for at least five (5) years. 3. Conditional Use to increase the total area of detached accessory buildings from 2,600 sq. ft. to approximately 5,280 sq. ft. for all existing detached buildings have existed for at least five (5) years (approx. 1,770 sq. ft. stable, 477 sq. ft. shed, 697 sq. ft. detached garage, 1,477 sq. ft. detached accessory building, 460 sq. ft. shed, and 399 sq. ft. shed). 4. Variation to allow the total area of detached accessory buildings to exceed the total area of the principal building.
OWNER	FELIPE AND MARTHA CABRAL, 0S434 RIVER GLEN ROAD, WEST CHICAGO, IL 60185
ADDRESS/LOCATION	0S434 RIVER GLEN ROAD, WEST CHICAGO, IL 60185
PIN	04-15-201-011 / 04-15-401-024 / 04-15-201-010
TWSP./CTY. BD. DIST.	WINFIELD DISTRICT 6
ZONING/LUP	R-1 SF RES 0-5 DU AC
AREA	3.73 ACRES (162,479 SQ. FT.)
UTILITIES	WELL / SEPTIC

1

Jack T. Knuepfer Administration Building, 421 N. County Farm Road, Wheaton, Illinois 60187