



**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: June 18, 2024

RE: **ZONING-24-000027 Bates (Milton / District 4)**

DuPage County Board: June 25, 2024:

Development Committee: June 18, 2024: The DuPage County Development Committee recommended to approve the following zoning relief:

Variation to increase the total Floor Area Ratio on the subject property from permitted 35% (approximately 2,135 sq. ft.) to approximately 39.59% (approximately 2,415 sq. ft.), for a new house with detached garage.

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-24-000027 Bates** dated June 5, 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: June 5, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to increase the total Floor Area Ratio on the subject property from permitted 35% (approximately 2,135 sq. ft.) to approximately 39.59% (approximately 2,415 sq. ft.), for a new house with detached garage.

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-24-000027 Bates dated June 5, 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 increase the total Floor Area Ratio on the subject property from permitted 35% (approximately 2,135 sq. ft.) to approximately 39.59% (approximately 2,415 sq. ft.), for a new house with detached garage.
- B. That petitioner testified that the subject property was platted in the 1920s and that it is a historic lot of record.
- C. That petitioner testified that the proposed single-family home would be a raised-ranch and that the proposed basement is more than 50% above ground and therefore counted towards the total square footage that is permitted on the subject property.
- D. That petitioner testified that it is not feasible to lower the basement further into the ground due to the grade change on the subject property.
- E. That the Zoning Hearing Officer finds that petitioner had demonstrated sufficient evidence for a practical difficulty and particular hardship, as petitioner indicated that due to the grade change on the subject property, the proposed basement must be more than 50% above ground and therefore counted towards the total square footage that is permitted on the subject project.

STANDARDS FOR CONDITIONAL USES:

1. That the Zoning Board of Appeals 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 proposed single-family home will meet all required setbacks and height requirements and 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 single-family home, 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 single-family home 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 single-family home 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 single-family home 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 single-family home 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 single-family home 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

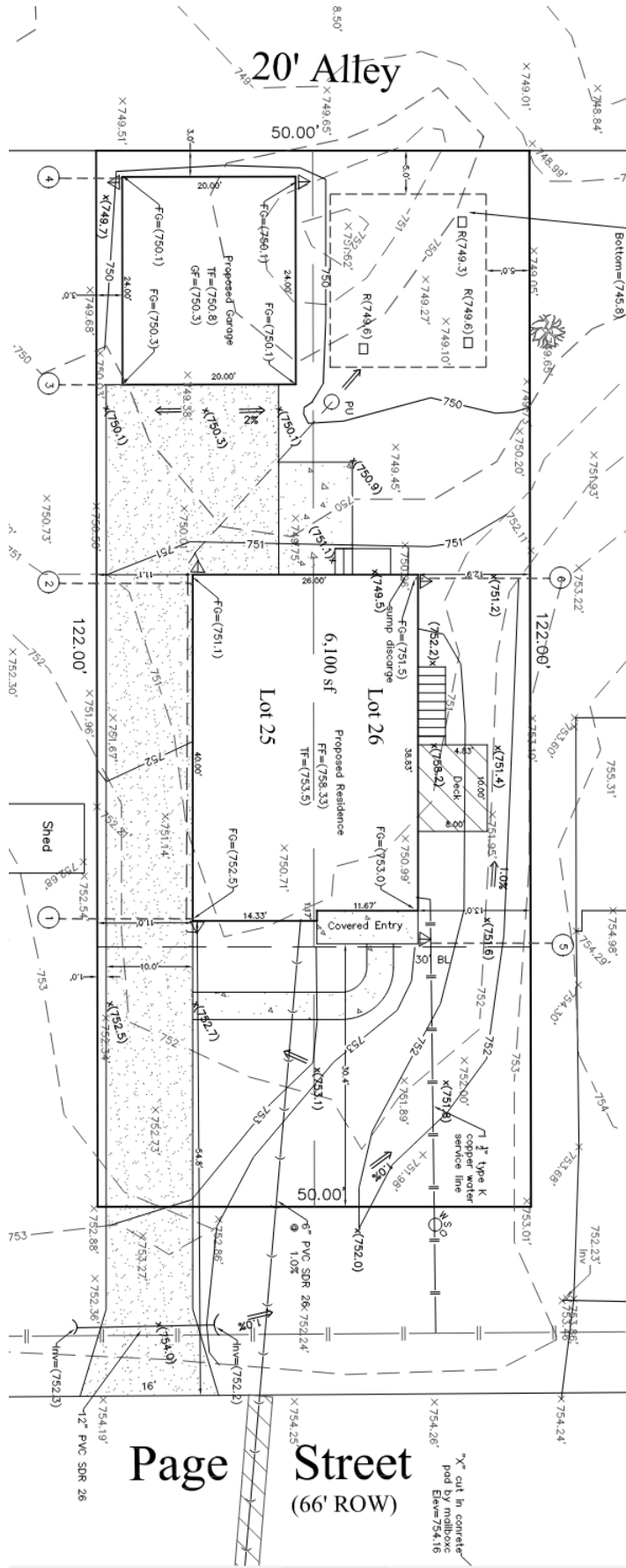
GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-24-000027 Bates	
ZONING REQUEST	Variation to increase the total Floor Area Ratio on the subject property from permitted 35% (approximately 2,135 sq. ft.) to approximately 39.59% (approximately 2,415 sq. ft.), for a new house with detached garage.	
OWNER	DANIEL BATES, 0S050 PAGE STREET, WINFIELD, IL 60187 / DANIEL BATES, 148 S PROSPECT STREET, WHEATON, IL 60187	
ADDRESS/LOCATION	0S050 PAGE STREET, WINFIELD, IL 60187	
PIN	05-18-200-039 / 05-18-200-040	
TWSP./CTY. BD. DIST.	MILTON	DISTRICT 4
ZONING/LUP	R-4 SF RES	0-5 DU AC
AREA	6,100 SQ. FT.	
UTILITIES	WATER AND SEWER	
PUBLICATION DATE	Daily Herald: MAY 21, 2024	
PUBLIC HEARING	WEDNESDAY, JUNE 5, 2024	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	Our office has no jurisdiction in this matter.	
Stormwater:	No Objections with the concept of the petition. Additional information may be required at time of permit application.	
Public Works:	Our office has no jurisdiction in this matter.	
EXTERNAL:		
City of Wheaton:	<i>No Comments Received.</i>	
Village of Winfield:	<i>No Comments Received.</i>	
Village of Carol Stream:	Our office has no jurisdiction in this matter.	
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.	
Winfield Fire Dist.:	<i>No Comments Received.</i>	
Sch. Dist. 200:	<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."	

GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Floor Area Ratio:	2,135 SQ. FT.	N/A	APPROX. 2,415 SQ. FT.

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	HOUSE	0-5 DU AC
North	R-4 SF RES	HOUSE	0-5 DU AC
South	R-4 SF RES	HOUSE	0-5 DU AC
East	PAGE STREET AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
West	PUBLIC ROW AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC



Page Street
(66' ROW)



