



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

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

www.dupageco.org/building

MEMORANDUM

TO: DuPage County Development Committee
FROM: DuPage County Zoning Hearing Officer
DATE: October 11, 2023
RE: **ZONING-23-000072 Rosasco (Lisle/ District 2)**

Development Committee: November 21, 2023:

Zoning Hearing Officer: October 11, 2023: The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to allow a 6'6"/100% closed (privacy) fence within the 10' corner side yard setback.

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-23-000072 Rosasco** dated October 11, 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 the property be developed in accordance with all other codes and Ordinances of DuPage County.

ZHO Recommendation to Approve

FINDINGS OF FACT:

- A. That the Zoning Hearing Officer finds that petitioner has demonstrated evidence for a Variation to allow a 6'6"/100% closed (privacy) fence within the 10' corner side yard setback.

- B. That petitioner testified that they have lived at the subject property for approximately three (3) years.
- C. That petitioner testified that they require a 6'6"/100% closed privacy fence within the 10' corner side yard setback for additional privacy and security due to increased noise, vehicle, and pedestrian traffic.
 - a. Furthermore, that petitioner testified that Creek Drive is the entrance and exit for the neighborhood to get to Hobson Road, and that there is increased traffic during peak traffic times.
- D. That Hearing Officer finds that petitioner has demonstrated that a Variation to allow a 6'/100% closed (privacy) fence within the 10' corner side yard setback will not have any impact on adjacent properties and roadways, will not impact on drainage, and will not impede ventilation and light to the subject property or adjacent properties.
- E. Furthermore, that Hearing Officer finds that petitioner has demonstrated evidence for a practical difficulty and particular hardship in relation to the location of the subject property, and that that the increase in noise, vehicle, and pedestrian traffic on Creek Drive requires petitioner to request a Variation to allow a 6'/100% closed (privacy) fence within the 10' corner side yard setback.

STANDARDS FOR VARIATIONS:

**Per Zoning Code Section 37-1411.3*

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 privacy fence 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 the proposed privacy fence will not increase in the hazard from fire or other dangers and that they will receive a building permit for the proposed fence.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed privacy fence will not diminish the value of land and buildings throughout the County and will be an added benefit to the neighborhood.

- d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the proposed privacy fence will not unduly increase traffic congestion in the public streets and highways, and that it will not impact line-of-sight clearance for vehicles.
- e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the proposed privacy fence 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 proposed privacy fence 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** the proposed privacy fence will be an added benefit to the neighborhood, and 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-23-000072 Rosasco	
ZONING REQUEST	Variation to allow a 6'6"/100% closed (privacy) fence within the 10' corner side yard setback.	
OWNER	JAMES AND MIRANDA ROSASCO, 23W321 WOODCREST CT E, NAPERVILLE, IL 60540	
ADDRESS/LOCATION	23W321 WOODCREST CT E, NAPERVILLE, IL 60540	
PIN	08-22-408-007	
TWSP./CTY. BD. DIST.	LISLE	DISTRICT 2
ZONING/LUP	R-4 SF RES	0-5 DU AC
AREA	0.21 ACRES (9,148 SQ. FT.)	
UTILITIES	WATER AND SEWER	
PUBLICATION DATE	Daily Herald: SEPTEMBER 26, 2023	
PUBLIC HEARING	WEDNESDAY, OCTOBER 11, 2023	

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.	
Public Works:	No Objections. "We are the sanitary sewer provider."	
EXTERNAL:		
Village of Woodridge:	"This site is within Woodridge's territory of a boundary line agreement but not currently incorporated. A fence of this height would not be allowed at a residential site."	
City of Naperville:	<i>No Comments Received.</i>	
Village of Lisle:	Our office has no jurisdiction in this matter. "The subject property is located outside of the Village's Boundary Agreement."	
Lisle Township:	<i>No Comments Received.</i>	
Township Highway:	<i>No Comments Received.</i>	
Lisle-Woodridge Fire Dist.:	"N/A"	
Sch. Dist. 203:	<i>No Comments Received.</i>	
Forest Preserve:	"The Forest Preserve District of DuPage County staff have reviewed the information provided in this notice and due to the sizable distance between the subject property and the District property, we do not have any specific comments. Thank you."	

GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Height:	4'6"/50% OPEN	N/A	6'6"/100% CLOSED

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	HOUSE	0-5 DU AC
North	WOODCREST CT E. AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
South	R-4 SF RES	HOUSE	0-5 DU AC
East	R-4 SF RES	HOUSE	0-5 DU AC
West	CREEK DRIVE AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC







