



**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 2, 2024

RE: **ZONING-23-000096 Anjuman-e-Saifee
(Downers Grove/District 3)**

DuPage County Board: April 9, 2024:

Development Committee: April 2, 2024: The DuPage County Development Committee recommended to approve the following zoning relief:

Variation to reduce the minimum interior side yard setbacks from 40 feet to approximately 20 feet for the construction of two proposed parking lots (Section 37-704.4A).

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-23-000096 Anjuman-e-Saifee** dated February 15, 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 in conjunction with the submittal of a building permit the developer provides a landscape plan showing partial 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

DuPage County Zoning Board of Appeals: March 7, 2024: The Zoning Board of Appeals recommended to approve the following zoning relief:

Variation to reduce the minimum interior side yard setbacks from 40 feet to approximately 20 feet for the construction of two proposed parking lots (Section 37-704.4A).

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-23-000096 **Anjuman-e-Saif** dated February 15, 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 in conjunction with the submittal of a building permit the developer provides a landscape plan showing partial 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 the subject zoning relief is to construct two (2) additional parking lots on the subject property, approximately twenty (20) feet from the interior side property lines.
2. That petitioner testified the congregation was established in the early 1970's and now consists of three hundred (300) families, and that in 2001, the place of assembly obtained a Conditional Use for a religious institution from DuPage County and constructed the subject facility.
3. That petitioner testified that the subject property consists of an existing place of assembly, school, and parking lot.
4. That petitioner testified that at the time of construction, the minimum side yard setback was twenty (20) feet, and the current zoning code requires forty (40) foot setbacks.
5. That petitioner testified that the two (2) proposed surface parking lots will maintain the twenty (20) foot setbacks of the existing parking lot and driveways on the subject property.
6. That petitioner testified that the practical difficulty or particular hardship in respect to the subject property is the existing conditions/development of the property, which at the time of the original development was twenty (20) foot side yard setbacks.
7. That petitioner testified that the proposed surface parking on the subject property is to remedy an existing parking shortage/demand for the place of assembly, and that the proposed zoning

relief is for additional surface parking to accommodate vehicles that currently park on the unimproved portion of the property.

8. That petitioner testified that residential single-family homes are located directly to the west of the subject property, to the east of the property across Route 83, and that additional places of assembly are located to the north and south of the subject property.
9. That at the February 15, 2024, public hearing, petitioner submitted a revised site plan to depict changes made after discussions with neighboring residential properties, including a row of six (6) foot tall arbor vitae to create a barrier between the parking lot, lights, and residential properties; and additional landscaping and trees in existing gap areas on the property.
10. That petitioner testified that there is only one (1) access point onto the subject property and that on the revised site plan, the proposed parking areas and drives allow for a circular driveway throughout the property.
 - a. Furthermore, that the driveways throughout the property would now line up together, providing for better circulation for school buses, emergency vehicles, and other large vehicles, and allowing for greater vehicle stacking for entrance and exiting.

STANDARDS FOR VARIATIONS:

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 the proposed zoning relief is for to additional surface parking, which 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 zoned relief is for additional surface parking, which 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 demonstrated** that the proposed zoning relief is for additional surface parking to accommodate vehicles that currently park on the unimproved portion of the property and that the additional surface parking will improve 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 zoning relief is for additional surface parking to accommodate the existing parking demand and will not generate new parking demand, and

therefore the proposed zoning relief 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 zoning relief for additional surface parking will be designed and constructed in accordance with the County's Stormwater Ordinance and 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 zoning relief for additional surface parking will be designed and constructed in accordance with the County's Stormwater Ordinance 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 proposed zoning relief for additional surface parking will accommodate an existing parking demand and will enhance the existing place of assembly and its property, which 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-23-000096 Anjuman-e-Saifee	
ZONING REQUEST	Variation to reduce the minimum interior side yard setbacks from 40 feet to approximately 20 feet for the construction of two proposed parking lots (Section 37-704.4A)	
OWNER	DAWAT E HADIYAH, 5177 DOUGLAS FIR ROAD, CALABASAS, CA 91302 / AGENT: KATHLEEN WEST, 111 EAST JEFFERSON AVENUE, SUITE 200, NAPERVILLE, IL 60540	
ADDRESS/LOCATION	10S246 ROUTE 83, HINSDALE, IL 60527 / ALSO KNOWN AS: 10S252 ROUTE 83, WILLOWBROOK, IL 60527	
PIN	10-02-104-095	
TWSP./CTY. BD. DIST.	DOWNERS GROVE	DISTRICT 3
ZONING/LUP	R-4 SF RES	0-5 DU AC
AREA	9.3 ACRES (405,108 SQ. FT.)	
UTILITIES	WATER/SEWER	
PUBLICATION DATE	Daily Herald: JANUARY 3, 2024	
PUBLIC HEARING	THURSDAY, JANUARY 18, 2024, CONTINUED TO FEBRUARY 15, 2024	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	No Comments Received.	

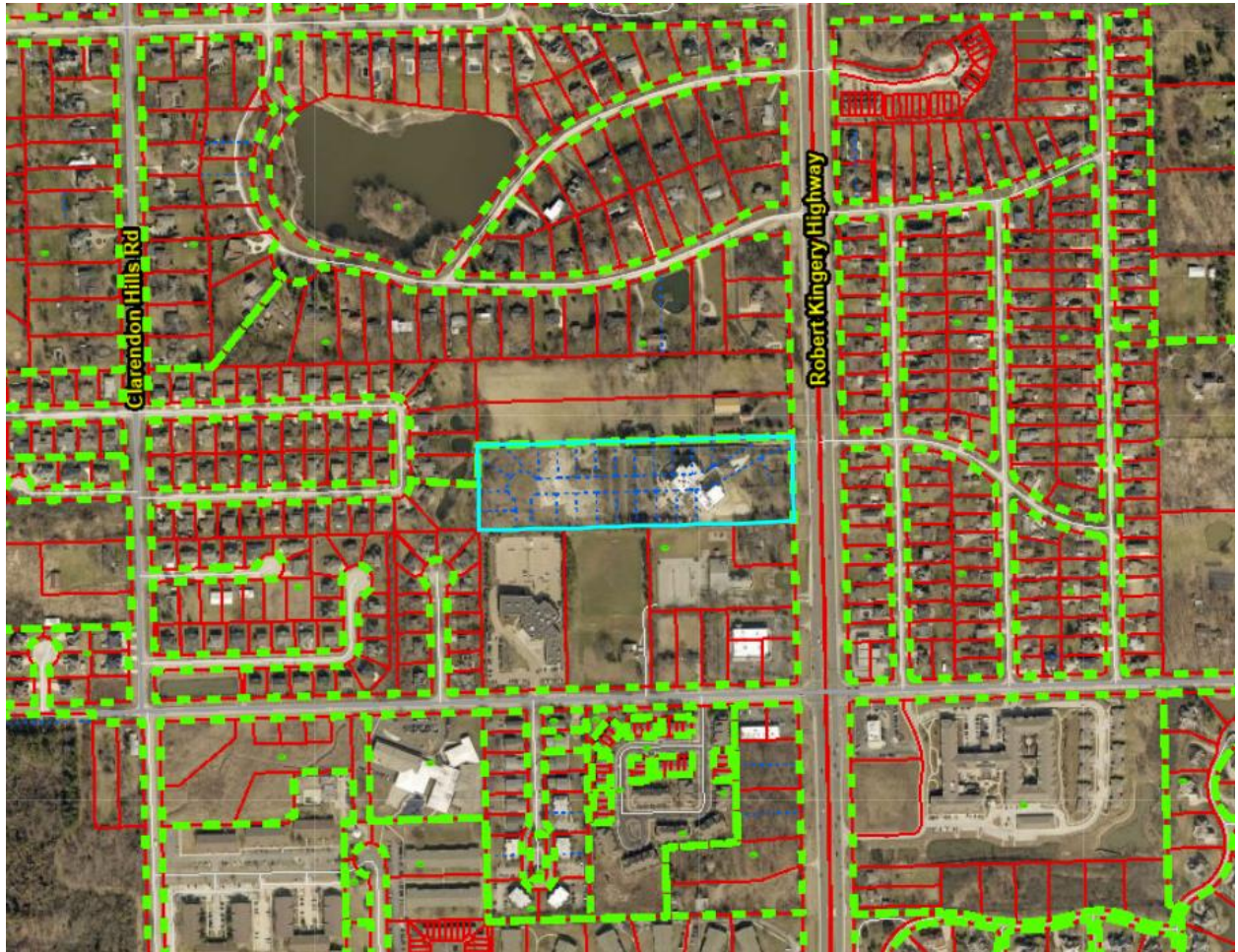
Stormwater:	No Objections with the concept of the petition. Additional information may be required at time of permit application.
Public Works:	No Objections. "We are the sanitary sewer and water provider for the area."
EXTERNAL:	
Village of Burr Ridge:	<i>No Comments Received.</i>
Village of Willowbrook:	<i>No Comments Received.</i>
City of Darien:	No Objections.
Downers Grove 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.
Tri-State Fire Dist.:	<i>No Comments Received.</i>
Sch. Dist. 180:	No Objections.
Sch. Dist. 87:	<i>No Comments Received.</i>
Forest Preserve:	"The Forest Preserve District of DuPage County has reviewed the information provided and does not have any specific comments."

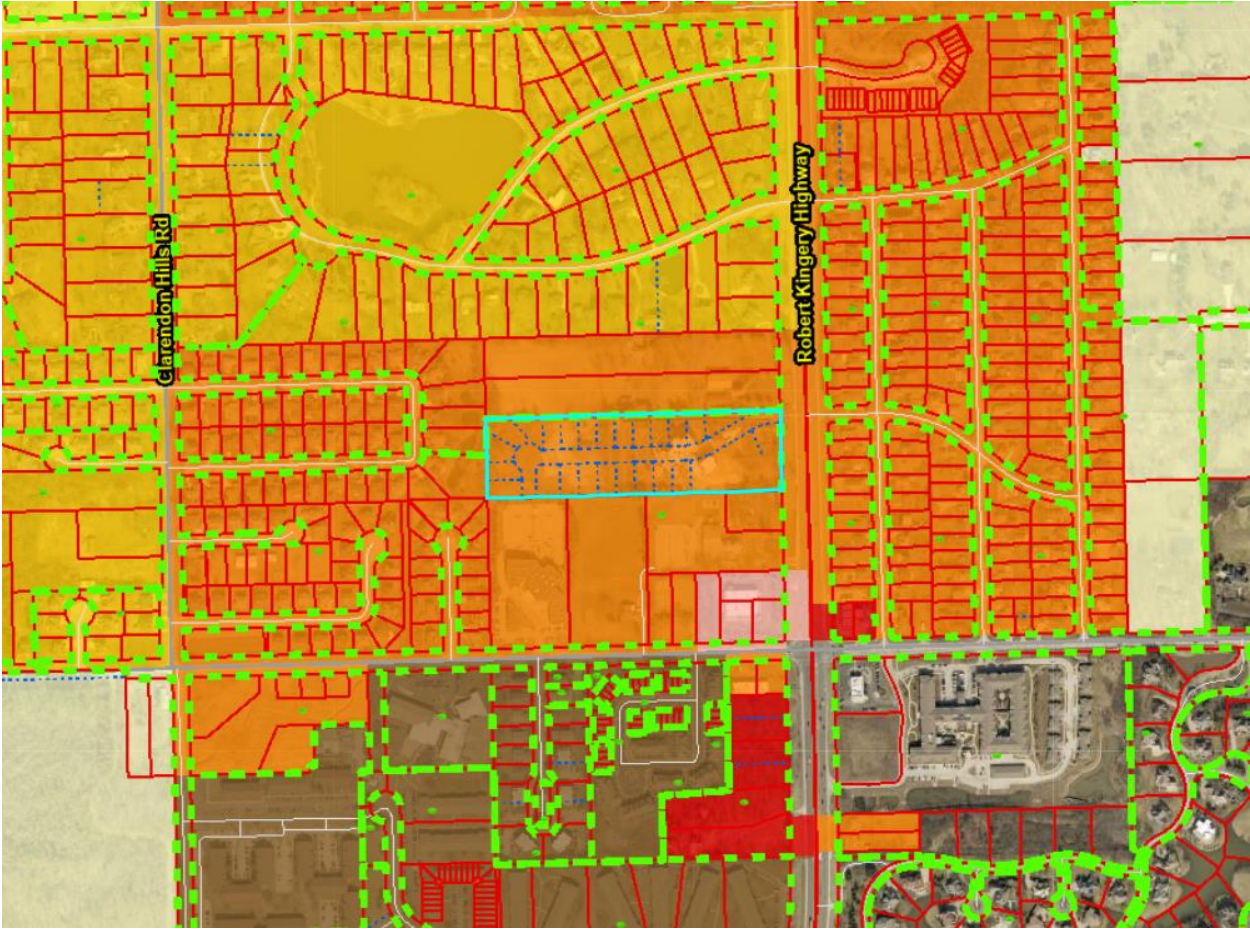
GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Int. Side Yard:	40'	NA	APPROX. 20'
Int. Side Yard:	40'	NA	APPROX. 20'

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	PLACE OF ASSEMBLY	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	ROUTE 83 AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
West	R-4 SF RES	HOUSE	0-5 DU AC





ANJUMAN-e-SAIFEE

FINDINGS OF FACT

- A. That the granting of any 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.*

This property consists of 9.3 acres, is zoned R-4, and is improved with a mosque, a school, and parking. The surrounding properties are also zoned R-4 and are improved with other places of worship. The requested variations are in harmony with the general purpose and intent of the Zoning Ordinance, will not be injurious to the neighborhood, detrimental to the public welfare, nor in conflict with the County's Comprehensive Plan for development as set forth in Section B.

- B. That the granting of the variation will not:*

- 1. Impair an adequate supply of light and air to adjacent property;*
- 2. Increase the hazard from fire or other dangers to said property*

Since the variations relate to the construction of additional surface parking, they will not impair an adequate supply of light and air to adjacent property nor increase the hazard from fire or other damages to said property.

- 3. Diminish the value of land and buildings throughout the County*

The proposed parking is required to accommodate vehicles which now park on the unimproved portion of the property, which parking is not attractive. The additional parking will maintain the value of surrounding land and buildings.

- 4. Unduly increase traffic congestion in the public streets and highways*

The variations are being requested so as to construct additional parking to accommodate existing parking demand. The proposed parking will not generate new parking demand and thereby will not unduly increase traffic congestion in the public streets and highways.

- 5. Increase the potential for flood damages to adjacent property*

The proposed parking will be designed and constructed in accordance with the County's stormwater ordinances so the potential for flood damage to adjacent property should be minimized.

6. Incur additional public expense for flood protection, rescue or relief

The proposed parking is accessory to the principal use of the property. There should not be any additional public expense for flood protection, rescue or relief.

7. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County

The requested variations will allow for the construction of additional parking which will enhance the mosque and its property. The additional parking will not impair the public health, safety, comfort, morals or general welfare of the inhabitants of DuPage County.



PLAT OF EASEMENT GRANT FOR MULTI-USE PATH

OWNER'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF DU PAGE)

THIS IS TO CERTIFY THAT
THE OWNER OF THE PROPERTY DESCRIBED ABOVE AND AS SUCH
OWNER, HAS CAUSED THE SAME TO BE PLATTED AS SHOWN HEREON,
FOR THE USES AND PURPOSES THEREIN SET FORTH AND AS ALLOWED
AND PROVIDED BY STATUTES.

DATED THIS ____ DAY OF ____ 20__

BY: _____ SIGNATURE _____ PRINT NAME _____

NOTARY'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF DU PAGE)

I, NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE
AFORESAID, DO HEREBY CERTIFY THAT

_____, WHO IS PERSONALLY
KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED
TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN
PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED
THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT FOR
THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS ____ DAY OF
____ 20__

SIGNATURE _____ PRINT NAME _____

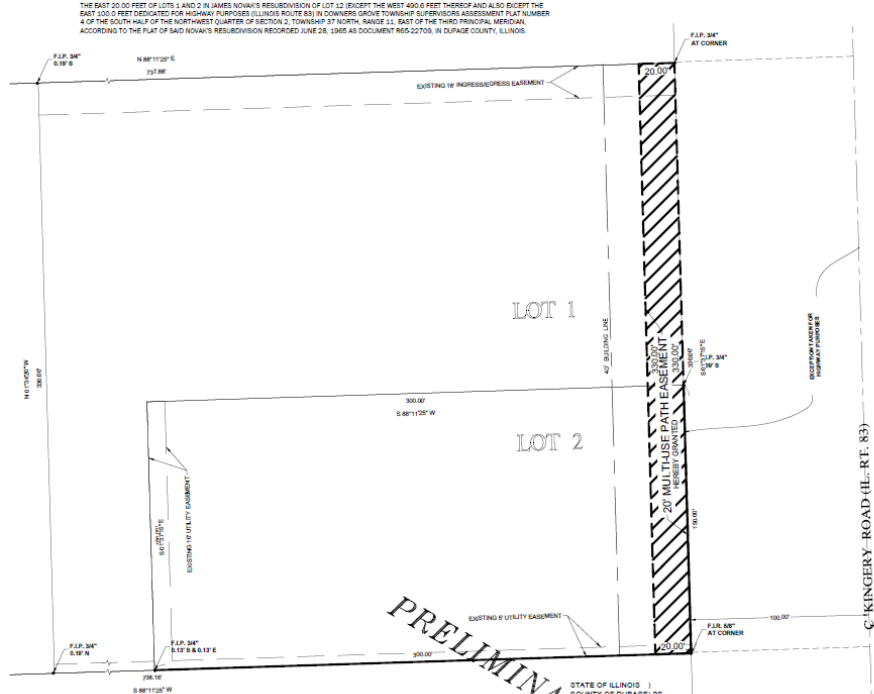
MY COMMISSION EXPIRES ON ____ A.D., 20__

DUPAGE COUNTY DEPARTMENT OF PUBLIC WORKS CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE)

APPROVED THIS ____ DAY OF ____ 20__

BY: _____
SUPERINTENDENT OR AUTHORIZED AGENT
DUPAGE COUNTY DEPARTMENT OF PUBLIC WORKS



RECORDER'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF DU PAGE)
THIS INSTRUMENT NO. _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DU PAGE COUNTY,
ILLINOIS AFORESAID ON THIS ____ DAY OF ____ 20__ AT ____ O'CLOCK ____ M.
GIVEN UNDER MY NAME AND SEAL OF THE COUNTY CLERK AT WHEATON, ILLINOIS, THIS ____ DAY OF ____ 20__
BY: _____
RECORDER OF DEEDS

THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT
THE PLAT AS HEREON DRAWN IS A CORRECT REPRESENTATION OF THE PROPERTY DESCRIBED
ABOVE.
FURTHERMORE, (DESIGNATE THE VILLAGE OF WILLOWBROOK TO ACT
AS MY AGENT FOR THE PURPOSES OF RECORDING THIS DOCUMENT,
DATED, THIS 1ST DAY OF MARCH, A.D., 2024, AT LIGLE, ILLINOIS.
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 039-3205
MY LICENSE EXPIRES NOVEMBER 30, 2024
ILLINOIS PROFESSIONAL DESIGN FIRM PROFESSIONAL
ENGINEERING CORPORATION NO. 184-001245

MEI
MORRIS ENGINEERING, INC.
Civil Engineering • Consulting
Land Surveying
515 Wauverville Road, Lisle, IL 60532
Phone: (630) 271-0770
Survey: (630) 271-0059
FAX: (630) 271-0774
Website: www.ecivil.com



Sent: Wednesday, January 17, 2024 10:54 PM
To: Infelise, Jessica
Subject: Members of Housing Board of Appeals -Resident concerns and photos
Attachments: number 1.jpg; Number 2.jpg; Number 3.jpg; Number 4.jpg; Number 5.jpg

[Caution: This email originated outside Dupageco.org. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Dear Jessica, I have attempted multiple times to send you an email with pictures and a a few seconds clip of the issue. They all failed. So I will attempt to send multiple emails with just two of three pictures each. It is of utmost importance that the Board reviews all photos of the issue and concerns to be addressed for the meeting.

Dear Members of Housing Board of Appeal,

I would like to address the board and show the concerns before the Board meets on Thursday.

I am a resident at 10s267 Kaye Ln and lived here for over 10 years.

Be began flooding on our property shortly after MECCA mosque and their parking lot was completed. The drain that is on the street in front of our house was already dated and could no longer accommodate increase in amount of water that needs to be drained. The street drain that is in front of our house is too small to drain the increased amount of water. This water collects in front of our house since it's the lowest point on the street.

We have asked Downers Grove township to address flooding but this has not been addressed or rectified in the last three years.

Our concern is that new permits are easily issued without consideration to consequences that this new construction will cause to the surrounding neighborhoods rain water runoff and other environmental issues.

The floods that we have been experiencing since the building of the parking lot of MECCA has not been addressed or rectified by the county in the past three years due to lack of funds in the budget. It is not fair to the taxpayers in the surrounding community to be expecting the cost of damages or correction of the issues these new permits/structures causes. Our retention pond and street can not accommodate the increase of the storm water that this will cause by the new parking lot of Anjuman-e-Saifee.

We would the board to consider request of the following items before the permit is issued.

- evaluation from an independent certified environmental storm water compliance professional/engineer
- additional retention pond on their own property to prevent overflow of storm water onto our property and feeding out street
- the use of water permeable paver system for the parking lot
- sloping of the parking lot away from (Kaye lane and residential homes) and towards Kingery Hwy
- tall evergreens to shield or dampen the high intensity light that is being used from dusk to dawn.

Please take the time to view pictures of the flooding out street experiences after each rain fall. These pictures were taken during different dates. The video of the flood and storm water runoff will be sent in a separate email due to exceeding limit in attached files.















