



**DUPAGE  
COUNTY**

Building  
Division

Zoning &  
Planning Division

Environmental  
Division

## BUILDING & ZONING DEPARTMENT

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

[www.dupagecounty.gov/building](http://www.dupagecounty.gov/building)

### MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: April 16, 2024

RE: **ZONING-24-000009 Barnas (Wayne / District 6)**

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**DuPage County Board: April 23, 2024:**

**DuPage County Development Committee: April 16, 2024:** The DuPage County Development Committee recommend to approve the following zoning relief:

Variation to reduce the rear yard setback for a new pool shed from required 3' to approximately 2' (replacing previous pool shed in same location).

**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-24-000009 Barnas** on March 13, 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: March 13, 2024:** The Zoning Hearing Officer recommended to approve the following zoning relief:

Variation to reduce the rear yard setback for a new pool shed from required 3' to approximately 2' (replacing previous pool shed in same location).

**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-24-000009 Barnas on March 13, 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 proposed zoning relief is reduce the rear yard setback for a new pool shed from required 3' to approximately 2' (replacing previous pool shed in same location).
- B. That petitioner testified that she purchased the subject property in 2021 and the property has an existing pool and previously had a dilapidated shed/pool utility structure.
- C. That petitioner testified that she removed the previous dilapidated shed/pool utility structure and started to rebuild the shed in the same location, approximately 2' from the rear property line.
- D. That petitioner testified the pool shed is to cover the existing pool utilities and to store pool equipment and accessories.
- E. That petitioner testified that the pool shed conforms to the same angle as the existing wood deck and pool, and that because these existing structures are not perfectly square, there is a unique circumstance as only a portion/corner of the pool shed is approximately 2' from the rear yard property line.
- F. That the Zoning Hearing Officer finds that petitioner has demonstrated evidence for a unique circumstance and practical difficulty as the existing structures on the subject property (pool and deck) are not perfectly square, there is a unique circumstance as only a portion/corner of the pool shed is approximately 2' from the rear yard property line

**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 pool shed 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 pool shed will not increase in the hazard from fire or other dangers and that they will receive a building permit for the proposed shed.
  - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed pool shed 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 pool shed will not unduly increase traffic congestion in the public streets and highways as the pool shed is located completely in the rear of the subject property.
  - e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the proposed pool shed 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 the proposed pool shed 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 pool shed 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-24-000009 Barnas	
ZONING REQUEST	Variation to reduce the rear yard setback for a new pool shed from required 3' to approximately 2' (replacing previous pool shed in same location).	
OWNER	BOGUMILA BARNAS, 28W084 TIMBER LANE, WEST CHICAGO, IL 60185	
ADDRESS/LOCATION	28W084 TIMBER LANE, WEST CHICAGO, IL 60185	
PIN	01-26-402-002 / 01-26-402-011	
TWSP./CTY. BD. DIST.	Wayne	District 6
ZONING/LUP	R-3 SF RES	0-5 DU AC
AREA	0.65 ACRES (28,314 SQ. FT)	
UTILITIES	WELL AND SEPTIC	
PUBLICATION DATE	Daily Herald: FEBRUARY 27, 2024	
PUBLIC HEARING	WEDNESDAY, MARCH 13, 2024	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	No Objections.	
Stormwater:	No Objections with the concept of the petition. Additional information may be required at time of permit application. “Please be aware that the shed is situated in the regulatory floodplain. Consequently, further information will be necessary when submitting the permit application to ensure that the shed complies with the requirements for an accessory structure within the floodplain.”	
Public Works:	Our office has no jurisdiction in this matter.	
EXTERNAL:		
Village of Carol Stream:	No Comments Received.	
City of West Chicago:	No Comments Received.	
Village of Winfield:	No Comments Received.	
Wayne Township:	No Comments Received.	
Township Highway:	No Comments Received.	
Carol Stream Fire Dist.:	No Objections with the concept of the petition. Additional information may be required at time of permit application.	
Sch. Dist. 25:	No Objections.	
Sch. Dist. 94:	No Comments Received.	
Forest Preserve:	“The Forest Preserve District of DuPage County staff has reviewed the information provided in this notice and due the sizable distance between the subject property and the District property, we do not have any specific comments. Thank you.”	

**GENERAL BULK REQUIREMENTS:**

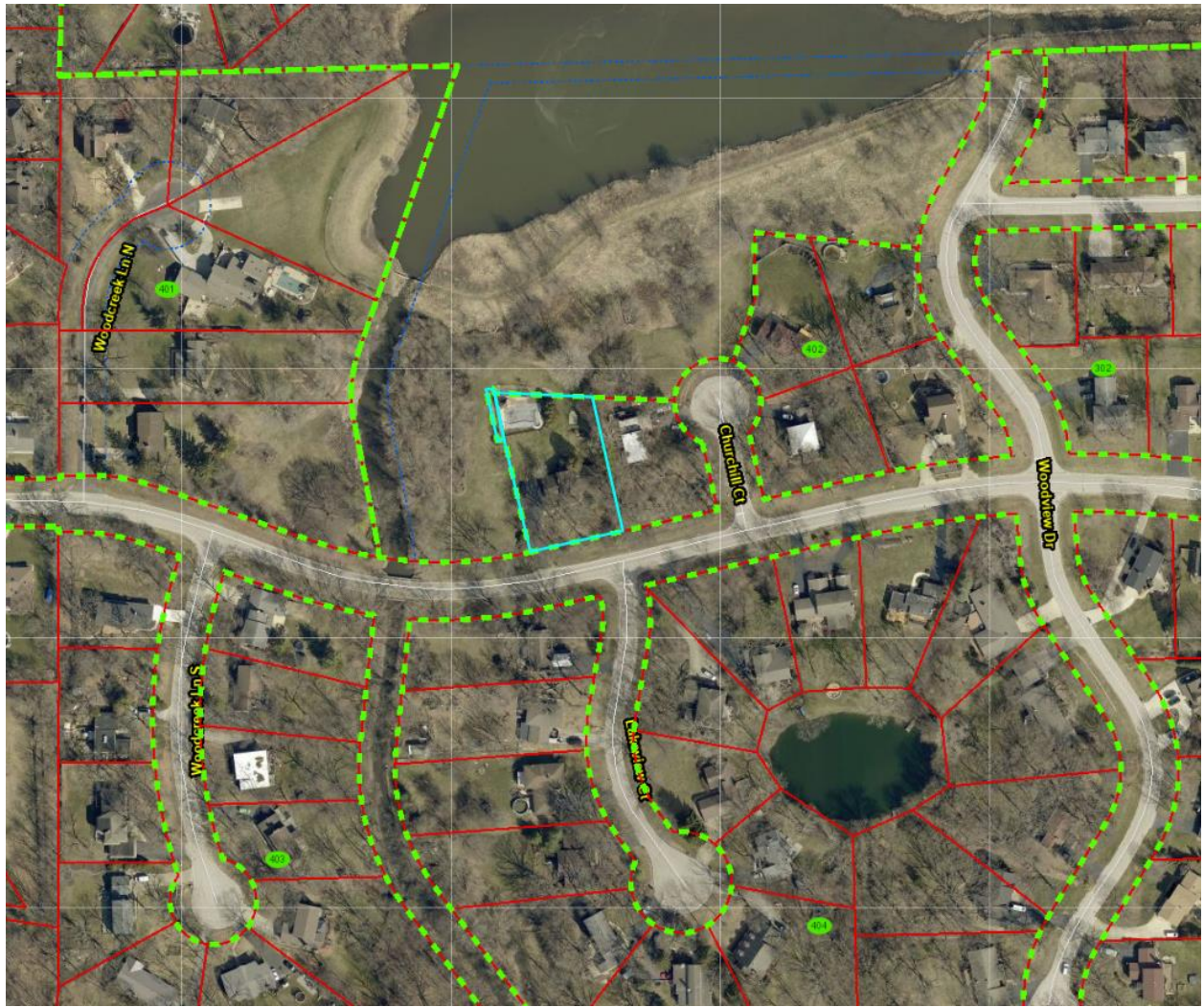
<b>REQUIREMENTS:</b>	<b>REQUIRED</b>	<b>EXISTING</b>	<b>PROPOSED</b>
Int. Side Yard:	3'	APPROX. 2'	APPROX. 2'

**LAND USE**

<b>Location</b>	<b>Zoning</b>	<b>Existing Use</b>	<b>LUP</b>
Subject	R-3 SF RES	HOUSE	0-5 DU AC
North	R-3 SF RES	OPEN SPACE	0-5 DU AC
South	TIMBER LANE AND BEYOND R-3 SF RES	HOUSE	0-5 DU AC
East	R-3 SF RES	HOUSE	0-5 DU AC
West	R-3 SF RES	OPEN SPACE	0-5 DU AC















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### DU PAGE COUNTY ZONING HEARING OFFICER PROGRAM Zoning Petition ZONING-24-000009 Barnas

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](mailto:Jessica.Infelise@dupagecounty.gov) or via facsimile at 630-407-6702 by **March 12, 2024**.

COMMENT SECTION:	
: OUR OFFICE HAS NO JURISDICTION IN THIS MATTER	
: NO OBJECTION/CONCERNS WITH THE PETITION	
X : 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.	
COMMENTS: Please be aware that the shed is situated in the regulatory floodplain. Consequently, further information will be necessary when submitting the permit application to ensure that the shed complies with the requirements for an accessory structure within the floodplain.	
SIGNATURE: [REDACTED] DATE: 3/11/24	
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT: DPC Stormwater Management	
GENERAL ZONING CASE INFORMATION	
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ZONING REQUEST	Variation to reduce the rear yard setback for a new pool shed from required 3' to approximately 2' (replacing previous pool shed in same location).
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TWSP./CTY. BD. DIST.	Wayne District 6
ZONING/LUP	R-3 SF RES 0-5 DU AC
AREA	0.65 ACRES (28,314 SQ. FT)
UTILITIES	WELL AND SEPTIC
PUBLICATION DATE	Daily Herald: FEBRUARY 27, 2024
PUBLIC HEARING	WEDNESDAY, MARCH 13, 2024

PLEASE NOTE: FILING OF THIS FORM DOES NOT SUBSTITUTE FOR A FORMAL OBJECTION PURSUANT TO THE ILLINOIS STATE STATUTES.