



**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 16, 2024

RE: **ZONING-24-000012 Mobil – Glen Ellyn
(Milton / District 4)**

DuPage County Board: April 23, 2024:

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

1. Variation to reduce the corner side setback for a relocated sign from required 15' setback to approximately 3.1 feet, due to IDOT R.O.W. taking.
2. Variation to reduce the rear yard setback for a relocated sign from required 20' setback to approximately 2.7 feet, due to IDOT R.O.W. taking.

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-24-000012 Mobil – Glen Ellyn** dated April 3, 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: April 3, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

1. Variation to reduce the corner side setback for a relocated sign from required 15' setback to approximately 3.1 feet, due to IDOT R.O.W. taking.
2. Variation to reduce the rear yard setback for a relocated sign from required 20' setback to approximately 2.7 feet, due to IDOT R.O.W. taking.

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-24-000012 Mobil – Glen Ellyn dated April 3, 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 allow petitioner to relocate a sign on the subject property due an IDOT right-of-way (ROW) taking.
- B. That petitioner testified that the subject property is losing approximately 1/10th of an acre due to a ROW taking at Route 53/Route 56 for additional traffic lanes and sidewalks.
- C. That petitioner testified that the sign will be relocated on top of the existing trash enclosure.
- D. That petitioner testified that there is no alternative location for the relocated sign.
- E. Furthermore, that the Hearing Officer finds that petitioner has demonstrated evidence for a practical difficulty and particular hardship due to the IDOT ROW taking on the subject property, and that the taking therefore requires petitioner to request a Variation to reduce the corner side setback for a relocated sign from required 15' setback to approximately 3.1 feet, and a Variation to reduce the rear yard setback for a relocated sign from required 20' setback to approximately 2.7 feet, due to IDOT R.O.W. taking.

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 sign 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 sign will not increase in the hazard from fire or other dangers and that they will receive a building permit for the proposed sign.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the proposed sign 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 sign 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 sign 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 sign 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 sign 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-24-000012 Mobil – Glen Ellyn	
ZONING REQUEST	1. Variation to reduce the corner side setback for a relocated sign from required 15' setback to approximately 3.1 feet, due to IDOT R.O.W. taking. 2. Variation to reduce the rear yard setback for a relocated sign from required 20' setback to approximately 2.7 feet, due to IDOT R.O.W. taking.	
OWNER	I K I REAL ESTATE, LLC., 22W070 BUTTERFIELD ROAD, GLEN ELLYN, IL 60137-7160 / AGENT: KEN PRICE, WEAVER CONSULTANTS GROUP, 1316 BOND STREET, SUITE 108, NAPERVILLE, IL 60563	
ADDRESS/LOCATION	22W070 BUTTERFIELD ROAD, GLEN ELLYN, IL 60137-7160	
PIN	05-26-400-041	
TWSP./CTY. BD. DIST.	MILTON	DISTRICT 4
ZONING/LUP	B-1 LOCAL BUSINESS	LOCAL COMMERCIAL
AREA	0.62 ACRES (27,007 SQ. FT.)	
UTILITIES	WATER AND SEWER	
PUBLICATION DATE	Daily Herald: MARCH 15, 2024	
PUBLIC HEARING	WEDNESDAY, APRIL 3, 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.	
Public Works:	Our office has no jurisdiction in this matter.	
EXTERNAL:		
Village of Glen Ellyn:	<i>No Comments Received.</i>	
Village of Lombard:	<i>No Comments Received.</i>	
Village of Downers Grove:	"The Village of Downers Grove has no comments."	
City of Wheaton:	<i>No Comments Received.</i>	
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.	
Lisle-Woodridge Fire Dist.:	"N/A"	
Sch. Dist. 87:	<i>No Comments Received.</i>	
Sch. Dist. 89:	<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
Corner Side Yard:	15'	APPROX 5'	APPROX. 3.1'
Rear Yard:	20'	APPROX. 10'	APPROX. 2.7'

LAND USE

Location	Zoning	Existing Use	LUP
Subject	B-1 LOCAL BUSINESS	GAS STATION	LOCAL COMMERCIAL
North	R-3 SF RES	DAY CARE	LOCAL COMMERCIAL
South	BUTTERFIELD ROAD AND BEYOND B-1 LOCAL BUSINESS	GAS STATION	LOCAL COMMERCIAL
East	ROUTE 53 AND BEYOND B-1 LOCAL BUSINESS	PARK DISTRICT	LOCAL COMMERCIAL
West	R-3 SF RES	DAY CARE	LOCAL COMMERCIAL







