



**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-24-000008 Castillo (Bloomington/District 1)**

DuPage County Board: April 9, 2024:

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

Conditional Use to allow existing deck and pool to remain less than 30' (approximately. 3.6') from the corner side setback, where it has existed for at least 5 years.

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-24-000008 Castillo** dated February 7, 2024.
2. That the Conditional Use zoning relief shall expire after five (5) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
 - a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
 - b. The structure is voluntarily removed.

3. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
4. That petitioner maintains the existing landscaping around the perimeter of the subject property.
5. 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

Zoning Hearing Officer: February 7, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

Conditional Use to allow existing deck and pool to remain less than 30' (approximately. 3.6') from the corner side setback, where it has existed for at least 5 years.

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-24-000008 Castillo** dated February 7, 2024.
2. That the Conditional Use zoning relief shall expire after five (5) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
 - a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
 - b. The structure is voluntarily removed.
3. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation that occurs on the property.
4. That petitioner maintains the existing landscaping around the perimeter of the subject property.
5. 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 existing deck and pool to remain less than 30' (approximately. 3.6') from the corner side setback, where it has existed for at least 5 years.
- B. That petitioner testified that they have lived at the subject property since 2005 and rebuilt the pool in 2009.
- C. That petitioner testified that they regularly use the pool in the summer.
- D. That the Zoning Hearing Officer finds that petitioner has demonstrated that the subject zoning relief to allow existing deck and pool to remain less than 30' (approximately. 3.6') from the corner side setback, where it has existed for at least 5 years, does not have any impact on adjacent properties and roadways, does not impact on drainage, and does not impede ventilation and light to the subject property or adjacent properties.

STANDARDS FOR CONDITIONAL USES:

- 1. That the Zoning Hearing Officer 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 existing deck and pool does not impact or impair the supply of light and air to 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 from the County for the existing deck and pool and that it was built pursuant to the current DuPage County building codes.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the existing deck and pool does not diminish the value of land.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has demonstrated** that the existing deck and pool is located behind the front wall of the home and does not impact traffic.
 - e. Increase the potential for flood damages to adjacent property as petitioner **has demonstrated** that the County's Stormwater Department has no objections to the existing deck and pool.
 - f. Incur additional public expense for flood protection, rescue or relief as petitioner **has demonstrated** that the County's Stormwater Department has no objections to the existing deck and pool.

- g. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County as petitioner **has demonstrated** that the existing deck and pool does not have any impact on adjacent properties and roadways, does not impact on drainage, and does not impede ventilation and light to the subject property or adjacent properties.

PETITIONER'S DEVELOPMENT FACT SHEET

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-24-000008 Castillo	
ZONING REQUEST	Conditional Use to allow existing deck and pool to remain less than 30' (approximately. 3.6') from the corner side setback, where it has existed for at least 5 years.	
OWNER	ROSARIO CASTILLO, 21W262 BELDEN AVENUE, LOMBARD, IL 60148	
ADDRESS/LOCATION	21W262 BELDEN AVENUE, LOMBARD, IL 60148	
PIN	02-36-202-009	
TWSP./CTY. BD. DIST.	BLOOMINGDALE	DISTRICT 1
ZONING/LUP	R-4 SF RES	0-5 DU AC
AREA	0.5 ACRES (211780 SQ. FT.)	
UTILITIES	WELL / SEPTIC	
PUBLICATION DATE	Daily Herald: JANUARY 12, 2024	
PUBLIC HEARING	WEDNESDAY, FEBRUARY 7, 2024	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	Our office has no jurisdiction in this matter.	
Health:	No Objections.	
Stormwater:	Our office has no jurisdiction in this matter.	
Public Works:	Our office has no jurisdiction in this matter.	
EXTERNAL:		
Village of Addison:	<i>No Comments Received.</i>	
Village of Lombard:	"As the subject property is outside our planning jurisdiction, we do not have any comments on the petition."	
Village of Glendale Heights:	"We have no issue as this does not impact the Village of Glendale Heights."	
Village of Glen Ellyn:	<i>No Comments Received.</i>	
Village of Bloomingdale:	<i>No Comments Received.</i>	
Bloomingdale 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. "As long as the Township Road Helen is not improved, we have no objection."	
Bloomingdale Fire Dist.:	No Objections with the concept of the petition. Additional information may be required at time of permit application. "No issue with the pool or deck. A new home is required to have residential sprinklers and plans must be submitted to the fire prevention bureau."	
Sch. Dist. 15:	<i>No Comments Received.</i>	
Sch. Dist. 87:	<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.”
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GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Corner Side Yard:	30'	APPROX. 3.6'	APPROX. 3.6'

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	BELDEN AVENUE AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
East	I-355 AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
West	R-4 SF RES	HOUSE	0-5 DU AC









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DU PAGE COUNTY ZONING HEARING OFFICER PROGRAM Zoning Petition ZONING-24-000008 Castillo

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 or via facsimile at 630-407-6702 by **February 6, 2024**.

COMMENT SECTION:	
: OUR OFFICE HAS NO JURISDICTION IN THIS MATTER	
: NO OBJECTION/CONCERNS WITH THE PETITION	
XX : 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: No issue with the pool or deck. A new home is required to have residential sprinklers and plans must be submitted to the fire prevention bureau.	
SIGNATURE:	DATE: 1/25/2024
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT:	
GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-24-000008 Castillo
ZONING REQUEST	Conditional Use to allow existing deck and pool to remain less than 30' (approximately 3.6') from the corner side setback, where it has existed for at least 5 years.
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ZONING/LUP	R-4 SF RES 0-5 DU AC
AREA	0.5 ACRES (211780 SQ. FT.)
UTILITIES	WELL / SEPTIC
PUBLICATION DATE	Daily Herald: JANUARY 12, 2024
PUBLIC HEARING	WEDNESDAY, FEBRUARY 7, 2024

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



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ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION	
: I OBJECT/ HAVE CONCERNS WITH THE PETITION.	
COMMENTS: As long as The Townships Road Helen is not Improved we have no objection	
SIGNATURE: [Redacted] DATE: 1/25/24	
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT: Bloomington Township Highway	
GENERAL ZONING CASE INFORMATION	
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