



**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: March 13, 2024

RE: **ZONING-24-000015 Weiss (Downers Grove / District 3)**

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:

Conditional Use to allow existing shed to remain less than 10' from the west property line (approximately 2') where it has existed for at least 5 years (extension of previously approved zoning relief Z15-006 Weiss).

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-24-000015 Weiss** dated March 13, 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): 4 Ayes, 0 Nays, 2 Absent

Zoning Hearing Officer: March 13, 2024: The Zoning Hearing Officer recommended to approve the following zoning relief:

Conditional Use to allow existing shed to remain less than 10' from the west property line (approximately 2') where it has existed for at least 5 years (extension of previously approved zoning relief Z15-006 Weiss).

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-24-000015 Weiss** dated March 13, 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 an existing shed to remain less than 10' from the west property line (approximately 2') where it has existed for at least 5 years (extension of previously approved zoning relief Z15-006 Weiss).
- B. That petitioner testified that he has lived at the subject property for approximately thirty-four (34) years and that he previously received zoning relief for the subject shed to allow it to remain on the property for ten (10) years with Z15-006 Weiss.
- C. That petitioner testified that the shed is made of wood.
- D. That petitioner testified that the shed is used to store deck furniture and gardening equipment.
- E. That Hearing Officer finds that petitioner has demonstrated that subject zoning relief to allow an existing shed to remain less than 10' from the west property line (approximately 2') where it has existed for at least 5 years (extension of previously approved zoning relief Z15-006 Weiss), 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 shed 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 shed 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 shed does not diminish 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 existing shed 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 shed.

- 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 shed.
- 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 shed 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-24-000015 Weiss	
ZONING REQUEST	Conditional Use to allow existing shed to remain less than 10' from the west property line (approximately 2') where it has existed for at least 5 years (extension of previously approved zoning relief Z15-006 Weiss).	
OWNER	MARSHA J.B. WEISS LIVING TRUST, 764 86 TH PLACE DOWNERS GROVE, IL 60516 / AGENT: MARK WEISS 764 86 TH PLACE DOWNERS GROVE, IL 60516	
ADDRESS/LOCATION	764 86 TH PLACE DOWNERS GROVE, IL 60516	
PIN	09-32-402-012	
TWSP./CTY. BD. DIST.	DOWNERS GROVE	DISTRICT 3
ZONING/LUP	R-3 SF RES	0-5 DU AC
AREA	0.67 ACRES (29,185 SQ. FT.)	
UTILITIES	WELL / SEWER	
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.	
Public Works:	No Objections. “We are the sanitary sewer provider for the area.”	
EXTERNAL:		
City of Darien:	No Objections.	
Village of Woodridge:	No Comments Received.	
Village of Downers Grove:	“The Village of Downers Grove has no comments.”	
City of Lemont:	No Comments Received.	
Downers Grove Township:	No Comments Received.	
Township Highway:	No Comments Received.	
Darien-Woodridge Fire Dist.:	No Comments Received.	
Sch. Dist. 66:	No Comments Received.	
Sch. Dist. 99:		
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:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Int. Side Yard:	10'	APPROX. 2'	APPROX. 2'

LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-3 SF RES	HOUSE	0-5 DU AC
North	R-3 SF RES	HOUSE	0-5 DU AC
South	86 TH PLACE 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	HOUSE	0-5 DU AC

LY KNOWN AS:
PLACE, DOWNERS GROVE, ILLINOIS

62.26(M)

15' PUBLIC UTILITY EASEMENT

FENCE CORNER IS 0.17 WEST OF LINE

TREE RING

FRAME SHED WOOD

PUMP

LOT 13

LOT 14

LOT AREA 29,330 SQ. FT.

STONE BORDERED PLANTER

WOOD SHED

CONCRETE

TWO STORY BRICK & FRAME 9764

CONCRETE

ASPHALT SURFACED DRIVE

DRIVE IS 2.45 WEST OF LINE

36" BLDG LINE

86TH PLACE

135.0

177.9

277.90(R)
277.78(M)

265.07(R)
265.64(M)

32.19(R)

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