



**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-24-000016 Correa (York / 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:

Conditional Use to allow a 6'/100% closed fence within the 10' corner side yard setback.

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-24-000016 Correa** 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:

Conditional Use to allow a 6'/100% closed fence within the 10' corner side yard setback.

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-24-000016 Correa 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 a Conditional Use to allow a 6'/100% closed fence within the 10' corner side yard setback.
- B. That petitioner testified that the subject property previously had a dilapidated metal/iron fence within the corner side yard, and that petitioner removed the metal/iron fence and replaced it with a cedar/wood treated fence that is 6'/100% closed.
- C. That petitioner testified that he requires a 6'/100% closed fence within the corner side yard setback due to increased vehicle traffic on Marlborough Road, which is used as a cut-through street in the neighborhood.
- D. That petitioner testified that due to the vehicle traffic on Marlborough Road, there is an increase in noise and safety concerns, and that the 6'/100% closed fence is required as petitioner has two dogs and grandchildren that play in the backyard.
- E. That the Zoning Hearing Officer finds that petitioner has demonstrated sufficient evidence to support the requested zoning relief for the existing 6'/100% closed fence and that petitioner requires a 6'/100% closed fence due to the location of the subject property on Marlborough Road.

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 6'/100% closed fence 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 he will receive a building permit for the existing 6'/100% closed fence and that it does not increase the hazard from fire or other dangers.
- c. Diminish the value of land and buildings throughout the County as petitioner **has demonstrated** that the existing 6'/100% closed fence 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 6'/100% closed fence 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 6'/100% closed fence.
- 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 6'/100% closed fence.
- 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 6'/100% closed fence 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

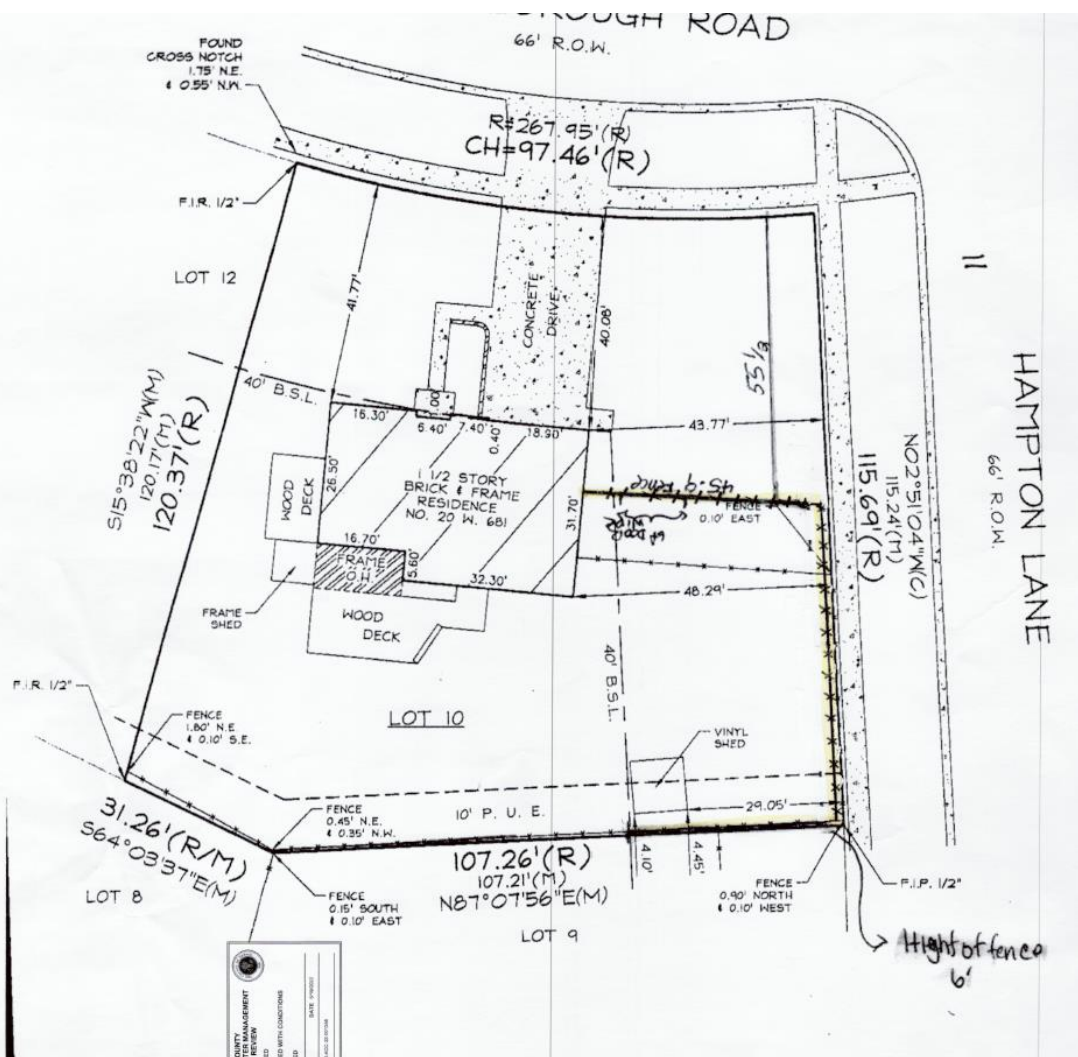
GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-24-000016 Correa	
ZONING REQUEST	Conditional Use to allow a 6'/100% closed fence within the 10' corner side yard setback.	
OWNER	RAFAEL CORREA, JR. 20W681 MARLBUROUGH ROAD, LOMBARD, IL 60148	
ADDRESS/LOCATION	20W681 MARLBUROUGH ROAD, LOMBARD, IL 60148	
PIN	06-30-109-002	
TWSP./CTY. BD. DIST.	YORK	DISTRICT 4
ZONING/LUP	R-4 SF RES	0-5 DU AC
AREA	0.33 ACRES (14,375 SQ. FT.)	
UTILITIES	WATER SEWER	
PUBLICATION DATE	Daily Herald: MARCH 19, 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 Downers Grove:	"The Village of Downers Grove has no comments."	
Village of Lombard:	"The fence proposed at 20W681 Marlborough would be permitted by right under the Lombard Village Code. As such, we have no comment on this petition."	
York Township:	<i>No Comments Received.</i>	
Township Highway:	No Objections.	
Glenbard Fire Dist.:	<i>No Comments Received.</i>	
Sch. Dist. 44:	<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."	

GENERAL BULK REQUIREMENTS:

REQUIREMENTS:	REQUIRED	EXISTING	PROPOSED
Corner Side Yard:	4'6" / 50% OPEN	6' / 100% CLOSED	6' / 100% CLOSED

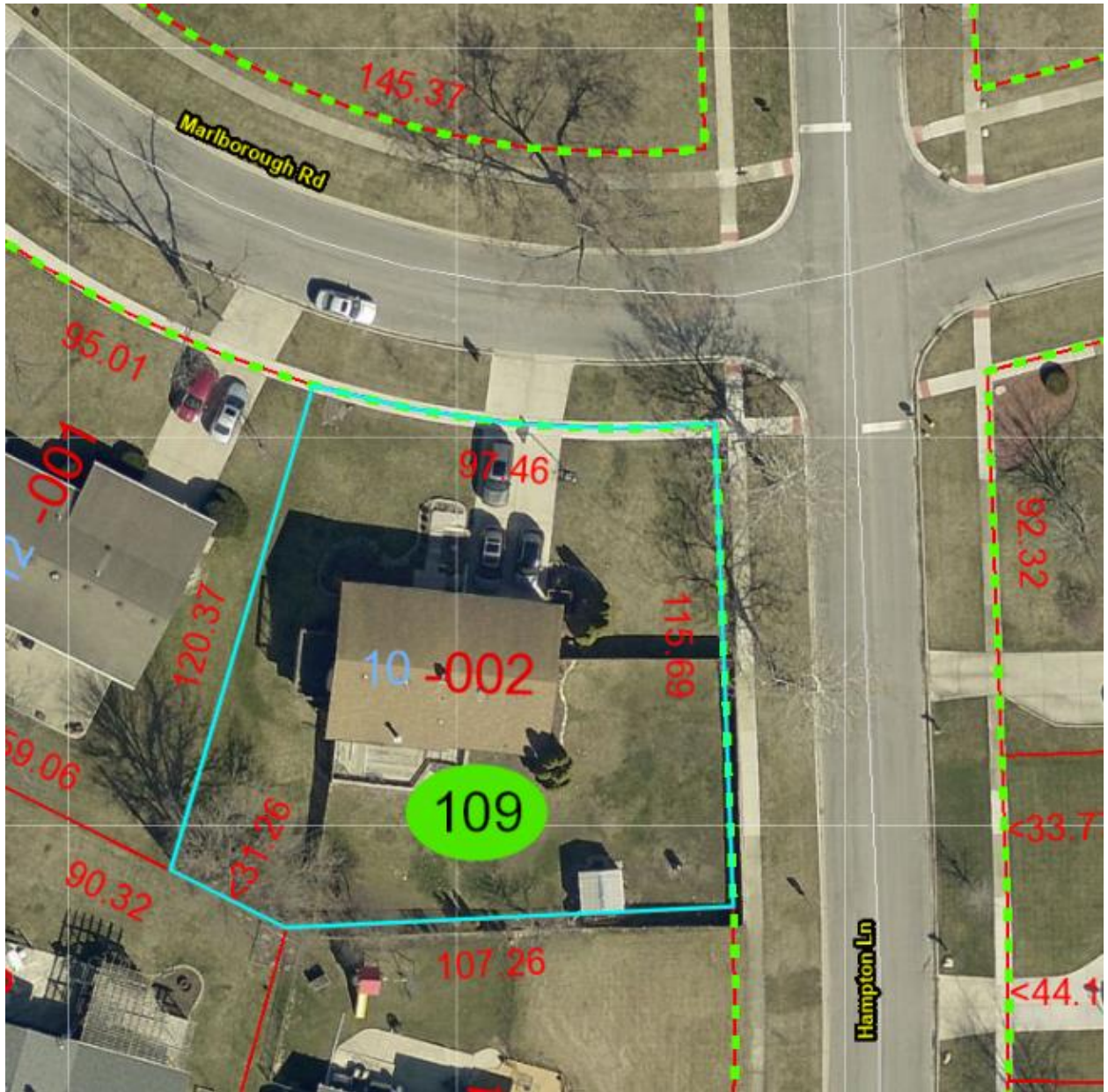
LAND USE

Location	Zoning	Existing Use	LUP
Subject	R-4 SF RES	HOUSE	0-5 DU AC
North	MARLBOROUGH ROAD AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
South	R-4 SF RES	HOUSE	0-5 DU AC
East	HAMPTON LANE AND BEYOND R-4 SF RES	HOUSE	0-5 DU AC
West	R-4 SF RES	HOUSE	0-5 DU AC









DU PAGE COUNTY ZONING BOARD OF APPEALS
JACK T. KNEPPER ADMINISTRATION BUILDING
421 N. County Farm Road, Wheaton, IL 60187

Sample Copy - 10% Administrative Variation - Letter to Neighbors

Dear:

My name is: RAFAEL CORREA JR

I live at: 20W681 MARIBOROUGH RD

I am requesting a 10% administrative variation from DuPage County to allow me to build a:

Fence on the streetside of my property 13' from sidewalk
to allow 6ft fence 100% closed.

The zoning request is 10% or less of the DuPage County Zoning Code requirements.

I am required to circulate this petition and have my immediate neighbors approve of the proposed variation request. As such, if you do not object to the 10% administrative variation please sign below:

I: Robert J. Latelle

Residing at: 20W680 Mayfair Rd.

Immediately adjacent to the subject property herein do not object to a 10% administrative variation to allow:

a six foot fence by sidewalk. I Do NOT object.

Robert J. Latelle
Print/and Signature of Owner

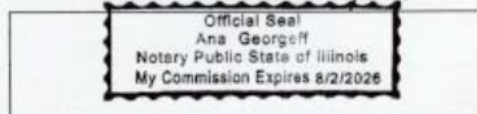
20W680 Mayfair Rd
Street

Lombard IL. 60148
City, State, Zip

[Redacted]
Phone Number

Subscribed and sworn to before me this:

19 Day of September 2022
[Redacted]



Owner Name and Signature seeking zoning request: Rafael CORREA [Redacted]

Owner seeking zoning request Address: 20W681 MARIBOROUGH LANE LOMBARD

Phone: [Redacted] FAX: [Redacted] em: [Redacted]